ILLINOIS.

Abraham L. Coyle, Gridley.
J. Agnes Olson, Shabbona.
David C. Swanson, Paxton.

INDIANA.

W. F. Moore, West Baden.
Edward L. Throop, Paoli.
Peter H. Zehrung, Cambridge City.

IOWA.

William H. Bowman, Victor.

KANSAS.

James S. Alexander, Florence.
W. I. Biddle, Leavenworth.
Connie Collins, Barnes.
Thomas W. Dare, Gardner.
John A. Davidson, White City.
William Freeburg, Courtland.
Horace C. Lathrop, Blue Rapids.

KENTUCKY.

Smith Rogers, Corydon.

MAINE.

Frank L. Averill, Oldtown.
Charles F. Hammond, Van Buren.

MASSACHUSETTS.

Fred A. Tower, Concord.

MICHIGAN.

Philip P. Schnorbach, Muskegon.

MISSOURI.

Archie T. Hollenbeck, Westplains.

NEW HAMPSHIRE.

Thomas B. Moore, Lincoln.

PENNSYLVANIA.

Alfred W. Christy, Slippery Rock.
Samuel J. Evans, Slatington.
Harry H. Sweeney, Houtzdale.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 19, 1911.*

The House met at 12 o'clock noon.

Prayer by the Rev. Ulysses G. B. Pierce, D. D.

The Journal of the proceedings of yesterday was read and approved.

POST OFFICE APPROPRIATION BILL.

Mr. WEEKS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Post Office appropriation bill.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 31539) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1912, and for other purposes, with Mr. STEVENS of Minnesota in the chair.

Mr. WEEKS. Mr. Chairman, I yield one hour to the gentleman from Ohio [Mr. KEIFER].

Mr. KEIFER. Mr. Chairman, I have a request to make in advance. I will not be able to read all the extracts from messages and communications to which I would desire to refer in speaking to-day on the subject of the fortification of the Panama Canal, and I therefore ask in advance unanimous consent to print such matter as I can not read in that time with my speech, and also, Mr. Chairman, I desire to print in connection with that a short speech that I made on the 30th of August last at Brussels, in Belgium, before the Interparliamentary Union that met there.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing certain documents and speeches as a part of his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. KEIFER. Mr. Chairman, on a former occasion in this Congress, May 17, 1910, I addressed this House on the neutralization of the Panama Canal, and in support of a resolution—House concurrent resolution 40—introduced by me intended to be declarative of the views of both Houses of Congress on the question. The subject is of the utmost importance, and its further discussion seems necessary to its fuller understanding and to remove grave errors, honestly entertained. There are those who seem to believe that to protect the Panama Canal by an international treaty similar to the treaty or convention of October 29, 1888—some places referred to as of date of October 28, 1888—for the neutralization of the Suez Maritime Canal, would be a surrender of whatever of strategic advantages it may possess in time of war to which the United States may be a party; and still others seem to believe that a guaranteed neutralization of the Panama Canal by such treaty, signed by the great powers, would prevent its being protected if attacked, and would result in the United States losing sovereign control over it. The matter of the supposed strategic value of the canal will be fully considered later along; and it is sufficient to say that no treaty has ever been made or contemplated that does not fully provide for the ample protection of the Panama Canal from intruders, irregular forces, land or naval, marauders of all kinds or character, and also that the United States shall have the right to manage and control it and to regulate and receive its revenues.

All the neutralization treaties provide expressly for these things and guarantee the protection of the canal from injury or destruction by any nation, "in time of war as in time of peace," and consequently guarantee the title of the United States to the canal in perpetuity. Existing treaties with Great Britain, New Granada—now Colombia—and the Republic of Panama, like the Suez Canal convention or treaty, guarantee, in perpetuity, the neutralization, and also the safety, of the canal against molestation or injury by any nation; and the proposed further international treaty with the powers of the world would do likewise. And there is authority, as in the case of the Suez Canal, to keep vessels of war at the port ends of the canal to be employed against any hostile force.

I shall, with the indulgence of the House, consider the question of the neutralization of the Panama Canal under at least four principal heads, namely:

First. Strategic importance of neutralization.

Second. Neutralization—what it signifies.

Third. Policy of United States to neutralize any isthmian canal.

Fourth. Treaty obligations neutralize the Panama Canal.

It seems certain and easy of proof by historical references, by unequivocal treaty obligations now in full force, and by the plainest principles of military and naval strategy, based on the experience of the world's war history, that—

First. Our Government has been wisely committed for about 100 years to the policy of the neutralization of any canal across the Isthmus of Panama, regardless of the country or authority that might construct it.

Second. That existing treaties bind the United States to neutralize the Panama Canal now being constructed.

Third. That to secure its strategic and money value to the United States in time of war to which it may be a party it should be guaranteed by the powers of the world to be neutral and open to the ships of commerce and of war of all nations and flags, including those of belligerent nations.

The great importance financially to our country of having the canal kept open to the commerce of the world in time of war as in time of peace should not be overlooked.

The jingo charge that only the unpatriotic favor the neutralization of the Panama Canal is answered by the Presidents, distinguished statesmen, and high military and naval officers who have favored or now favor the neutralization of any interoceanic canal across the Isthmus of Panama. But of this later.

A summary description of the Panama Canal may aid in understanding what is said as to its neutralization.

The Panama Canal is located in the mid-Tropics, and its general course is north and south across the Isthmus of Panama. It is 50½ miles in length, measured from 50 feet depth of water in the bays of the Atlantic and Pacific Oceans. It is above one-third—about 9 miles on each end—sea water. Commencing in Limon Bay, on the Atlantic side, the first stretch of sea water reaches to Gatun, where there are three successive locks, each 110 feet wide and 1,000 feet in length, and to the great Gatun Dam and the lake formed by the dam shutting off the natural channels and flow of the Chagres River and other minor streams; the lake, when filled, will have an irregular boundary and a surface area of 165 square miles, and the distance across it to be traversed by ships will be about 9 miles, to Bohio; thence by a partially artificial channel of the Chagres River to Bas Obispo and Gamboa, where this river empties from the eastward into the line of the canal, a distance of about 22 miles; thence through the great Culebra Cut about 9 miles to Pedro Miguel, to another lock; thence through it and across—about 1 mile—the Pedro Miguel Lake to Miraflores to two successive locks and through them to sea water again, and thence to the Pacific Ocean. The locks are in duplicate and of

the same length and other dimensions and of the Poe lock type, and are each to raise or lower ships about 30 feet—that is, three of them not less than 85 feet.

The water in the Culebra Cut is to be of a minimum depth of 45 feet, the bottom of the canal through the cut to be 40 feet above sea level, and not less, at the bottom, than 300 feet in width. In the distances given the locks are included. There are no islands within the zone on the Atlantic end and three—hardly habitable—Naos, Perico, and Flemenco, at the Pacific end. A breakwater from the mainland, Ancon, extends to Naos.

Islands—Taboga, Tavarilla, and others—lay off the Pacific end, but commanding it, which do not belong to the United States. The terminals of the canal channel are each far out to sea, and in neither case in a bay capable of harboring a fleet of battleships.

The canal is in the center of a zone 10 miles in width, acquired by treaty—1903—from the Republic of Panama, a country but recently a part of Colombia. It is more than 2,000 miles from any great military base in the United States, and from four to six days' sail under favorable conditions from any important point on our continental coast line.

STRATEGIC IMPORTANCE OF NEUTRALIZATION.

Barring all questions of the policy of neutralization of the Panama Canal in the interest and for the promotion of commerce and universal peace among nations, and putting aside all treaty obligations to neutralize it or the Canal Zone, and regarding the canal only as to its value in time of war to which the United States is a party, and for strategic reasons alone, I believe it is easy of demonstration that the United States should have its neutrality guaranteed by an international treaty similar in terms and character to the Suez Canal treaty—1888—now in effect, embodied in the Hay-Pauncefote treaty.

If this Government was at war with a great maritime nation possessed of a superior army and navy, and otherwise strong enough to wage successfully an offensive war distant from its own shores, it would be a fearful misfortune to our country to have to maintain an army on the line of the Panama Canal and a navy in the waters of both oceans at its ends sufficiently strong to protect it from seizure and destruction.

If such a belligerent nation had a navy or fleet which we could whip on the sea with our Navy we could find it in either ocean and destroy it. If it had one with which our Navy could not cope, then the enemy could soon blockade the canal and starve out and capture whatever army and navy, unless very large, we were unfortunate enough to have in the fortifications and at the terminals of the canal. Such a belligerent, with such a fleet, could soon, if necessary, pass around the Horn or through the—neutralized—Straits of Magellan, as did Capt. Clark with the *Oregon* during the late war with Spain in 1898; and the more, in such case, of our Army and war vessels we had stationed to protect the Panama Canal the weaker we would be for offensive or defensive work at more important places. If we should be at war with a weak naval power, a fortified canal would be of no possible strategic importance to us; and so if at war with a superior naval power the canal would not only be of no strategic importance, but a positive source of weakness to us.

If open, neutralized, never blockaded, and not fortified, as guaranteed by existing treaties, and the ships of war of a nation with which we were at war could pass through the canal unmolested, they would not do so until a base for coal, ammunition, and other absolutely necessary supplies were first established. Such a base would be impossible to find on the Atlantic or Pacific shores.

A war fleet on the ocean without an established base of supplies, unless near enough to its home base to keep up quick, certain, and regular communication by transports, would need no adverse fleet to destroy it. Such a fleet thus situated would be even worse off than an army on land campaigning without a base of supplies for food, forage, and ammunition in a country where they could not be found. Imagine Cervera's Spanish fleet leaving Spain in 1898 for America without a friendly harbor in which to take refuge and receive coal and other supplies. We heard much of Admiral Schley's troubles about not blockading Cervera's fleet for want of suitable or ample coal barges from which to coal the American fleet.

Before our splendid Atlantic Fleet—16 ships—could start—1907—around the world we had to arrange for coal at foreign ports, and we expended for coal alone used on its voyage $2,984,900.41, at an extra cost of $1,619,843.32, the total expense of the entire voyage being $13,460,512.

The most serious objection to fortifying the Panama Canal, aside from the impracticability of it, is the fact that, in peace as well as war, the United States would have to keep an army and navy of substantial size and strength on the line and in the waters at the termini of the canal to defend it from attack should war suddenly break out. The example may be cited of Japan—February, 1904—seizing the harbors at Port Arthur and Chemulpo and capturing or destroying all the Russian vessels at Chemulpo, and capturing, destroying, or closely blockading Russia's warships and her best army, 25,000 effectives, then stationed at Port Arthur. Had these places been neutralized, or even abandoned, the Russian war vessels then in the Orient could have been in combined fleet at Vladivostok, or other place of comparative safety, from whence it could have operated effectively. As it was, the Russian naval power in the East was substantially destroyed or rendered inefficient the opening day of the war. And the subsequent attempt to hold and protect Port Arthur by Stoessel's Russian Army was equally unfortunate and fatal to success. The Russian strategists and critics, with those of other countries concurring, will never cease to attribute Russia's defeat to the mistake of trying to hold Port Arthur. They believe that if Stoessel's army could have been in concentration with the other Russian forces at the Yalu the Japanese never could have crossed it, and that the war would speedily have come to an end without the humiliation of Russia; that there would have been no destruction—1905—of the Russian fleet under Rojestvensky in the Japan Sea.

The sequel shows the supreme folly of the Russian's persistence, with one of its best armies and a remnant of its war ships, in trying to hold Port Arthur until its other armies were beaten on several fields, and then finally losing Port Arthur and Stoessel's army with it in time for the Japanese army (Noga's) that captured it to join and take part in the final overthrow of the Russian main army at Mukden. And Russia's divided navy was annihilated as a natural consequence of such bad strategy.

In case our country should be at war our Army and Navy, to be effective, should be in concentration for offensive or defensive purposes against the enemy wherever he could be found—not engaged protecting a piece of property, however valuable.

Circumstances might possibly arise when, without fortifications, our Navy might be called on to protect the canal at the entrances or in the open sea, but then it would have the aid and cooperation of the powers which join in guaranteeing its neutralization.

With a large army and navy the canal might, at great peril elsewhere to the United States when engaged in war, be protected by the United States alone, but during such time no commerce could pass through it and no revenue would be derived from it, as a single war ship of the enemy on either ocean could capture or prevent the entry or safe exit of any ships laden with commerce. Only batteries on high places near the entrances could blockade or defend the canal from injury by belligerent battleships. Possibly, only they could be erected and made available on one or more of the islands owned by the United States near its Pacific entrance. Battleships to protect the entrance would have to lay a good distance at sea, otherwise, at an inside-made harbor, from whence they could only move out one at a time, they could be shut in by an outside inferior fleet, aided, if necessary, by batteries on islands or the mainland not owned by the United States. Fortifications could be erected by an enemy on such islands or the mainland to command the channel entrances of the canal.

Indeed, the 5 miles limit of the Canal Zone on either side of the canal is, in this day of guns capable of accurately throwing shot 9 or more miles, far from being protective of it from batteries located on foreign territory. The Gatun, Pedro Miguel, and Miraflores locks could easily be put out of commission by guns located on heights not in the Canal Zone should the business of fortifying be entered upon. Panama, neither by its own—1903—nor by the New Granada treaty, is expressly forbidden to fortify on the line or adjacent shores of the canal; and judging by the past and present disturbed Central American conditions there is always danger of Panama becoming or being under the sovereignty of a country unfriendly to the United States.

All these dangers will be overcome by international neutralization and by the United States abiding strictly by the treaties. Authorized police regulations will amply protect the canal from the lawless and preserve order, and grim batteries on the shores at the entrances to it and at intervals along its line, with the most modern guns and armed men within them, will not dispense with such policing.

No ship would enter the canal to destroy it, even of a nation with which the United States was at war. Its own safety would be of first importance, and a nation would not desire to bring down upon it the guaranteeing powers while already engaged in war.

If a ship of any description entered the canal, pretending to acquiesce in its neutralization, but to do mischief, a thing hardly conceivable, it would not be entitled to protection if its purpose was discovered. Fortifications, however great, would not prevent a secret attempt by a ship or lawless band to injure the canal.

It has been suggested that a ship flying a flag of some country without right might enter the canal to dynamite its locks. This would mean its own destruction, and fortifications would be no protection against such, or like, deception. Again, I repeat, that only a ship of some nation has rights to be respected, and neutralization does not secure any rights save to those acting peaceably and in good faith. Guns need not be placed to fire on ships in the canal or in its locks.

All such dangers are, however, provided against, as the treaties expressly authorize the United States to "maintain such military force along the canal as may be necessary to protect it against the lawless."

Fortifications, batteries of great guns, at the entrances and on the line of the canal will be wholly useless for any purpose of its defense except to blockade it. Battleships will never enter it to attack or destroy it. They would be helpless there, unable to maneuver. They could not reach or injure the dams forming the lakes, and the destruction of the lakes or locks would be their own destruction. They will only enter to pass peaceably through the canal. So of all belligerent vessels. Fortifications can therefore only be of use to blockade the canal and could be otherwise of no practical use. Neutralization extends 3 marine miles beyond the canal ends, consequently a hostile fleet could not come within that limit without violating the treaties.

Admiral George Dewey, who is possessed of great knowledge and much experience, whose great success at Manila, May 1, 1898, resulted practically in overthrowing and destroying the Spanish fleet the first day of the Spanish War, when asked to approve the proposed fortifications and armament on the Panama Canal, is reported to have said:

> Fortifications? Why, of course not. As I understand it the canal is to be and should be a neutral commercial pathway between the two great oceans. To fortify it would simply result in making it a battle ground in case of war. Fortifications would be enormously expensive and ought not to be erected.

This summary of Admiral Dewey states well the extreme danger in time of war of having to employ forces in distant parts to protect property. The scattered fleets of Spain, when war came in 1898, afforded another striking example of bad strategy.

The fact that Spain tried to defend the far-off Philippines resulted in the same prompt discomfiture that befell Russia at the opening of the war with Japan.

Unless large forces, both army and navy, were constantly maintained on and adjacent to the Panama Canal, however fortified, a similar disaster would, if war came, most likely befall the United States.

To thus maintain an army and navy would be at great annual cost of treasure and of life. It would require the material increase of both our Army and Navy, now generally regarded as too small.

The report of the Panama Fortification Board, January 4, 1911, unless carefully examined, might be misleading as to the necessary cost of fortifications, though not as to their purpose. Their principal purpose is clearly stated to be the blockade of the canal against all comers; they are, in large part, described as "seacoast defenses for the termini of the canal * * * seacoast fortifications." The report also recommends naval stations and their equipment, including dry-docks, searchlights, fire control, and so forth, at the termini, and whatever else is incident thereto.

It may be said that such war preparations do not mean blockade only as necessity arises; that there might be neutralization still. Their erection will be an act of war forbidden by all treaties, and they mean blockade of the canal, likewise forbidden, in war or peace, by the treaties.

The preliminary initial estimate in the board's report, as originally made, was $19,546,843, but it is cut for the present, under instructions, to $12,475,328, not including anything for "the cost of construction for naval purposes" nor for the Navy, the necessary "naval establishments," nor for the naval equipment, emplacements, armament, and forces to occupy them recommended by the board. Important points at both termini deemed necessary by the board for sufficient fortifications are also excluded from the present estimate, and only 12 companies of Coast Artillery, 4 regiments of Infantry, 1 battalion of Field Artillery, and 1 squadron of Cavalry—ordinarily, as now recruited, about 5,000 effective men—no naval forces—are estimated for as "an army garrison to be maintained on the Canal Zone in time of peace." This would be an average of about 100 men to the mile, not a respectable police force. Stoessel was shut up and finally captured in 1905 by Japan at Port Arthur with an army garrison strongly fortified, stationed in time of peace, of 25,000 men. To fortify and garrison a zone thus feebly 50 miles in length would only invite prompt capture by an enemy if war broke out.

If the canal is to be fortified and blockaded, it should be done with such ample works, armament and garrisons, naval stations and forces, and vessels of war as would defy the greatest naval power. There dare not be fortifications with garrisons and naval stations and navy only sufficient in time of peace.

If the United States assumes, as to the canal, an attitude of war, it must always there keep on a war footing, otherwise it would be seized before the defenses could be enlarged or reenforced. This would only be modern experience. Wars break out suddenly now, differing from earlier times. If fortifications, naval stations, and so forth, are to be established on the canal they should be adequate and kept ready at all times for strong war.

An estimate to cover the original cost for ample fortifications, armament, garrisons, permanent camps and barracks, naval stations, dry-docks, searchlights and fire control, marines, purchase of sites, ships to be constantly at the stations, and so forth, of $100,000,000 will prove far too low; likewise, an estimate for their annual maintenance, including sanitation, of $10,000,000 is too low.

In my estimates I include nothing in the way of military and naval construction not recommended by the Fortification Board; and I have omitted from them the cost of positions outside of the Canal Zone on the mainland and islands, which the board seem to regard as important.

There seems to be a well-grounded belief amoung our high military officers that the fortifications on our main, or continental coasts, and our small Regular Army and Navy are far from adequate for our protection in the event of war, and that many millions of dollars should be promptly spent to put our country in only scant preparedness for war. If this is true, then it alone furnishes a most important reason why we should not fortify the Panama Canal if it can otherwise be protected.

Our continental coast line, excluding bays and inlets and the Alaskan coast, is above 32,000 miles in length, one and a third times the circumference of the earth at the Equator.

An army constantly kept on the Isthmus would be subject to the ravages of disease common to it, unless the sanitation now maintained thereon at an annual cost aside from administration of about $2,000,000 was kept up. But for such sanitation the canal would not be built, as the Chagres River-Isthmus region is naturally the most deadly one from disease, yellow fever and the like, in all the world, as its history for above 400 years proves. It is not proposed to maintain such general sanitation beyond the time of its completion.

Our Army and Navy, to meet the new and additional requirements resulting from the United States having constantly to protect the Panama Canal, would have to be increased from their present inadequate strength at least 25 per cent before there would be any well-grounded security in case of a sudden outbreak of war. The strength of the Regular Army on October 15, 1910, was 4,310 officers and 67,459 enlisted men. The cost of creating such increases and the necessary additional cost of maintaining continuously a considerable number of soldiers, sailors, and marines on the canal and its adjacent waters would be comparatively very great, as all their wants would have to be supplied from long distances; in time of war convoyed to them.

This country should hesitate long before taking upon it such an additional and oppressive burden at a time when there is little or no room to doubt that existing international treaties completely guarantee the neutralization of the canal, and also when a more general international treaty, easily negotiated, will effectually and perpetually protect it in a state of neutralization without special expense to the United States and by which it will forever, irrespective of the events of war, have its title thereto guaranteed, with all the revenues receivable therefrom.

The foregoing are only some of the principal reasons why, for strategic purposes in time of war to which the United States is a party, it should on every consideration of interest rejoice over the neutralization of the Panama Canal.

NEUTRALIZATION—WHAT IT SIGNIFIES.

Neutralization as applied to an interoceanic canal or other highway of transportation, as defined and applied in its use in treaties between nations and as interpreted by learned writers on international law, prohibits all acts of hostility thereon or in connection therewith and, consequently, necessarily forbids all preparations looking to such acts. The word "neu-

trality," in its primary meaning, indicates a "person who takes no part in a contest—not engaged on either side—a person or nation that takes no part in a contest with others." But, as applied to a canal or other public line of transportation, neutralization signifies "the act of reducing to a state of neutrality, to reduce to a state of indifference or neutrality." "Territories may, by an international act or an international treaty, be sheltered from acts of war. Such are said to be neutralized." (Rivier, Principes, etc., Vol. II, p. 162.)

Neutralization is the act of securing by convention immunity for certain territory or waters from being made the scene of hostilities, as for the Black Sea (1856) and for the Kongo in Central Africa (1885); to bestow by convention a neutral character upon states, persons, and things—to declare them nonbelligerent—to prohibit hostilities within their limits. (Century Dictionary.)

Neutralization means something different when applied to a state than its merely refraining from taking sides in a war between other nations. Usually for a country to be neutral between belligerents requires no treaty, and its neutrality is governed alone by international law.

Neutralization, as applied to a nation or to a thing, requires a condition to exist within it. A nation in a state of neutralization is in an unusual state, and it must refrain from doing something it might otherwise of right do. Neutralization applied to property like a canal requires it to be maintained and used in a state of total indifference to all alike. But neutralization does not prohibit a nation from defending, when attacked, its own existence, nor interested parties from protecting their own property.

The neutralization of the Panama Canal under existing treaties is therefore something more than neutrality as usually understood. It is to "be sheltered from acts of war."

A neutral State or Territory has some duties in time of war, such as to prevent its being used by either belligerent as a base of operation, for the passage of troops, for enlistments, for arming or equipping ships of war, for any acts of war, and the like. For violations of these things the neutral nation may justly demand and receive reparation.

Hence to merely declare the Panama Canal in a state of neutrality did not quite go far enough, and it was therefore deemed necessary to specify in the treaties, not only for the right of vessels of commerce and ships of war of all nations in peace and war to pass unmolested through it, but that no act of war should occur on it; that it should never be blockaded, and so forth.

It follows that under existing treaties the canal is more than a neutral territory, and the United States enjoys less rights and it is bound by more than usually relate to mere neutrality alone.

We shall soon see that existing treaties to which the United States is a party not only require the Panama Canal to be forever neutralized, but each such treaty, in express terms, puts at rest all doubt as to what is meant by declaring—

That the canal shall be free and open to the vessels of commerce and of war of all nations * * * on terms of equality * * * that the canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. (Hay-Pauncefote treaty, Nov. 18, 1901.)

The latest treaty, dated November 18, 1903, with the Republic of Panama, also stipulates that the canal shall be neutralized as provided in the said Hay-Pauncefote treaty, which accepts and continues unimpaired all the neutralization provided for in the Clayton-Bulwer treaty, and it also adopts as the basis of neutralization—

all the provisions substantially as embodied in the convention of Constantinople, signed the 28th of October, 1888, for the free navigation of the Suez Canal.

The Clayton-Bulwer treaty provides (Art. I) that—

neither Great Britain nor the United States will ever erect or maintain any fortifications commanding the canal.

The syllabus to the Suez Canal treaty expresses its true purpose to be that the canal "shall not be fortified or blockaded, and that it shall be open in time of war as in time of peace."

Nothing is said in the body of this treaty about fortifications. The Black Sea was neutralized by the treaty of Paris (1856). The language used in Article XI thereof reads: "The Black Sea is neutralized." This neutralization required the throwing "open of its waters and ports to the mercantile marine of every nation, and formally and perpetually interdicted the flag of war of either of the powers possessing its coasts or of any other powers," and neither Russia nor Turkey were allowed to establish or maintain upon its coasts any "military maritime arsenal."

The act for the free navigation of the Danube, 1865, of the European Commission, composed of seven great powers, confirmed by the powers at Paris, 1866, declared that the works of the commission are to enjoy neutrality; and a later London treaty, 1871, declared similarly, and still later, 1878, the treaty of Berlin rendered effectual such neutralization and, consequently:

All the fortresses and fortifications existing on the course of the river (Danube) from the Iron Gates to its mouth were required to be razed and no new ones erected. (2 Moore's International Law Digest, pp. 19, 20.)

The effect of the neutrality of straits such as Magellan, the Bosphorus, the Dardanelles, and others furnish examples showing what is comprehended by neutralization.

The most memorable and effective neutralization resulted from the Rush-Bagot arrangement, negotiated between the United States and Great Britain in April, 1817, and proclaimed by President Monroe April 28, 1818, by which each country was permitted to maintain only 1 vessel of not exceeding 100 tons burden, armed with one 18-pound cannon on Lake Ontario, 2 vessels of like burden and armament on the upper lakes, and 1 vessel of like burden and armament on Lake Champlain, and all other armed vessels to be thenceforth dismantled, and no other vessels of war to be there built or armed.

This arrangement was advocated by Presidents Madison and Monroe; by John Quincy Adams, minister to England; by Henry Clay; and by other then distinguished statesmen and patriots. Notwithstanding steam has largely superseded sail vessels, and a vast population has been planted on the shores of our Great Lakes, this arrangement has stood for about 94 years, rendering fortifications, war vessels, armament, and military and naval forces unnecessary to protect our Lake commerce, our Lake harbors, and splendid cities, although only six months' notice is required to be given by either nation to terminate it.

The neutralization of the entrance to these Lakes via the St. Lawrence River is also effectuated by this arrangement, and the navies of all nations are therefore excluded therefrom. A teeming population swarms on the shores of these Great Lakes, a commerce unparalleled has gone on without interruption, and city and urban property has possessed a value not possible but for such neutralization.

But for this arrangement commerce on these Lakes would be very limited, and the few cities that would have appeared there would be less populous, and require fortifications like New York City, Boston, New Orleans, San Francisco, and others located on the ocean and Gulf coasts. A single battleship could now take Chicago, Milwaukee, Detroit, Cleveland, and Buffalo. The money value of any one of these would far exceed the cost of the Panama Canal.

Neutralization of countries in the interest of peace and on other considerations is not new. Neutralization is guaranteed to Switzerland, treaties of Vienna and Paris, 1815; Belgium, treaty of London, 1832 and 1839; Luxemburg, by the latter treaty; Norway, treaty of Christiana, 1907; and the Ionian Islands, part of Greece, is likewise guaranteed. So of other territories. And many rivers other than those named, or parts thereof, such as the Rhine, Schelt, Congo, Niger, La Plata, Amazon, and St. Lawrence; also the Paraguay, Uruguay, Colorado, and Rio Grande Rivers have been, and most of them are still, guaranteed complete neutralization by well-observed treaties; and so of other lakes and rivers, also of the Gulf of California and other like navigable waters.

In most cases, however, the guaranty is confined to commerce alone—"to merchant vessels of all nations"—while our canal treaties guarantee that the Panama Canal "shall be free and open to vessels of commerce and of war of all nations."

The high seas require no neutralization, as they are by a universally recognized law of nations regarded as neutral, save within 1 marine league of shore, a distance once supposed to be beyond the "utmost range of a cannon ball."

The high seas belong in common to all nations.
Every vessel on the sea is rightfully a part of the territory of the country to which it belongs.
Ships are nationalized by the flags they fly.

Why not the waters of the Panama Canal partake of the neutralization of the great oceans?

The principles of the foregoing practical examples of neutralization, when applied to the Panama Canal, will be found in harmony with those laid down in messages, proclamations, and instructions of Presidents, Secretaries of State, and in resolutions and debates in Congress covering the larger part of our country's history, and they will be found embodied in existing treaties to which the United States is a party and in others relating to the neutralization of the Panama Canal.

POLICY OF UNITED STATES TO NEUTRALIZE ANY ISTHMIAN CANAL.

If the foregoing is true, there can be no sound reason in this Christian age, when all the progressive and civilized nations of the world are striving and praying for the discovery of means and methods by which to mitigate or to eradicate the horrors of war and, if possible, to discover a way to bring to the

whole world universal peace, why the Panama Canal should not be neutralized, as existing treaties provide.

Surely there are no persons who seriously contemplate their violation. Through them alone the United States acquired the authority and right to build the Panama Canal.

From the time the subject of constructing an interoceanic canal across the Isthmus of Darien, now called Panama, was first seriously agitated efforts were put forth to secure its complete neutralization; that is, to require it, when built, to be open to free navigation by the vessels of commerce and of war of all nations "on equal terms in time of war as in time of peace."

Commencing with the administration of John Quincy Adams, we find—May 26, 1826—Mr. Clay, Secretary of State, by direction of President Adams, issued instructions to Anderson and Sergeant, representatives to a Panama Congress, using this language:

A cut or canal for purposes of navigation somewhere through the isthmus that connects the two Americas, to unite the Pacific and Atlantic Oceans, will form a proper subject of consideration at the congress. That vast object, if it ever should be accomplished, will be interesting in a greater or less degree to all parts of the world. * * * If the work should ever be executed, so as to admit of the passage of sea vessels from ocean to ocean, the benefits of it ought not to be exclusively appropriated to any one nation, but should be extended to all parts of the globe upon the payment of a just compensation or reasonable tolls.

Proceedings were had pursuant to instructions, which led later to the adoption by the Senate of the United States, March 3, 1835, of a resolution requesting President Jackson to open—

negotiations with the Governments of Central America and New Granada—now Colombia—for the purpose of effectually protecting by suitable treaty stipulations with them such individuals or companies as may undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of assuring forever by such stipulations the free and equal right of navigating such canal to all nations on the payment of reasonable tolls.

President Jackson, approving this request, appointed Hon. Charles Biddle to repair to Nicaragua, Guatemala, Panama, and Bogota to gain such information as was obtainable with a view to negotiating treaties to carry out the purposes of the Senate resolution. Jackson's instructions to Mr. Biddle bear date May 1, 1835.

In 1839 a resolution was unanimously agreed to by the House of Representatives, inspired by memorials of merchants of New York and Philadelphia, of like purport of the Senate resolution just quoted, which concludes thus:

For the purpose of ascertaining the practicability of effecting a communication between the Atlantic and Pacific Oceans by the construction of a canal across the Isthmus, and of securing forever, by suitable treaty stipulations, the free and equal right of navigating such canal to all nations. (32d Cong., 3d sess., App., vol. 27, p. 251.)

The sovereignty of the States occupying Central America and adjacent regions was respected by the United States, and hence it was necessary to negotiate with them or some of them.

Lewis Cass, Secretary of State under President Buchanan, July 25, 1858, in a communication to Mr. Lamar, minister to Central America, expressed in forcible language his views against allowing such States to close the interoceanic routes—"gates of intercourse"—across the Isthmus to the free navigation of the ships of all nations.

The following is an extract from his memorable communication:

While the just rights of sovereignty of the States occupying this region should always be respected, we shall expect that these rights will be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local Governments, even if administered with more regard to the just demands of other nations than they have been, would be permitted, in a spirit of eastern isolation, to close these gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them, and that they choose to shut them, or, what is almost equivalent, to encumber them with such unjust regulations as would prevent their general use.

Passing over other like acts and negotiations relating to the ultimate neutralization of any interoceanic canal that might connect the two great oceans, we come to the important existing treaty of December 12, 1846, between the United States and New Granada—Colombia—by which, for certain concessions as to transit across the Isthmus of Panama, the United States guaranteed, in perpetuity, or while the treaty exists, "the perfect neutrality of the above-mentioned Isthmus."

I quote a pertinent portion of that treaty:

And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantees, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time.

This 1846 treaty is still in force, notwithstanding either party to it might terminate it on notice. It was invoked in a message by President Roosevelt, December 7, 1903, to require Colombia to agree to a concession of a zone over which the United States might construct a canal—this before the Republic of Panama was formed and recognized.

And in the same message he further states that—

The control, in the interest of commerce and traffic of the whole civilized world, of the means of undisturbed transit across the Isthmus of Panama has become of transcendent importance to the United States.

He also expressed the view that Colombia is—

bound not merely by treaty obligations, but by the interests of civilization, to see that the peaceful traffic of the world across the Isthmus of Panama shall not be disturbed.

This and other messages and official papers recognize the continued neutrality of that Isthmus by virtue of the treaty of 1846. The guaranty by the United States of the neutrality of the Isthmus of Panama therefore remains unimpaired and in full force. But more of this later.

James Buchanan, as Secretary of State, took an active interest in the ratification of this treaty, 1846, especially advocating the thirty-fifth article thereof guaranteeing "on the part of the United States the neutrality of the Isthmus of Panama," as did President Polk. The ratifications of this treaty were exchanged June 10, 1848. New Granada subsequently—1886—became the Republic of Colombia without impairing the continuing obligation of the treaty of 1846.

President Polk, in his message, February 10, 1847, submitting the treaty to the Senate for its ratification, strongly favored the neutrality provisions of the thirty-fifth article.

The following are extracts from his message:

4. In entering into the mutual guaranties proposed by the thirty-fifth article of the treaty, neither the Government of New Granada nor that of the United States has any narrow or exclusive views. The ultimate object, as presented by the Senate of the United States in their resolution (of March 3, 1835), to which I have already referred, is to secure to all nations the free and equal right of passage over the Isthmus. * * * The interests of the world at stake are so important that the security of this passage between the two oceans can not be suffered to depend upon the wars and revolutions which may arise among different nations.

Mr. Clayton, Secretary of State under President Zachary Taylor, December 14, 1849, by his chief's direction, instructed Mr. Laurence, minister to England, to use his influence with the British Government to enter into a treaty with New Granada by which Great Britain would likewise guarantee the neutrality of the Isthmus of Panama; and he—December 15, 1849—instructed Mr. Foote, minister to New Granada, to urge upon that Government to take measures to negotiate a treaty with Great Britain securing such a guaranty.

Mr. Webster, Secretary of State, March 13, 1852, in a letter to a Mr. Belknap, who claimed to have a grant from New Granada for the construction of an interoceanic canal across the Isthmus of Panama, assured him that the guaranty of neutrality contained in the thirty-fifth article of the 1846 treaty would be faithfully observed.

The general interest taken led to the 1850 Clayton-Bulwer treaty, of which we shall speak more fully later.

The treaty with New Granada constantly loomed into importance. England sought, in Buchanan's administration, a joint treaty between Great Britain, France, and the United States—

To secure the freedom and neutrality of the transit route over the Isthmus of Panama.

Mr. Lewis Cass, Secretary of State, September 10, 1857, in response to a letter from Lord Napier, minister to the United States, proposing a convention to secure such a treaty, stated that the letter had been submitted to the President—Buchanan—and that he was authorized to communicate his views to Lord Napier. In response, Mr. Cass, among other things, said:

The President fully appreciates the importance of that route to the commercial nations of the world, and the great advantage which must result from its entire security, both in peace and war, but he does not perceive that any new guaranty is necessary for this purpose on the part of the United States.

By the treaty concluded with New Granada on the 12th of December, 1846, to which your lordship has referred, this Government guaranteed the neutrality of the Isthmus, and also the rights of sovereignty and property over it of New Granada. A similar measure on the part of England and France would give additional security to the transit, and would be regarded favorably, therefore, by this Government. But any participation by the United States in such a measure is rendered unnecessary by the arrangement already referred to. * * *

The President is fully sensible, however, of the deep interest which must be felt by all commercial nations, not only in the Panama transit route, but in the opening of all the various passages across the Isthmus by which union of the two oceans may be practically effected. The progress already effected in these works has opened a new era in the intercourse of the world, and we are yet only at the commencement of their results.

It is important that they should be kept free from the danger of interruption either by the Governments through whose territories they pass or by the hostile operations of other countries engaged in war.

While the rights of sovereignty of the local governments must always be respected, other rights also have arisen in the progress of events involving interests of great magnitude to the commercial world and demanding its careful attention and, if need be, its efficient protection. In view of these interests, and after having invited capital

and enterprise from other countries to aid in the opening of these great highways of nations under pledges of free transit to all desiring it, it can not be permitted that these Governments should exercise over them an arbitrary and unlimited control and close them or embarrass them without reference to the wants of commerce or the intercourse of the world. Equally disastrous would it be to leave them at the mercy of every nation which in time of war might find it advantageous, for hostile purposes, to take possession of them and either restrain their use or suspend it altogether.

The President hopes that by the general consent of the maritime powers all such difficulties may be prevented and the interoceanic lines, with the harbors of immediate approach to them, may be secured beyond interruption to the great purposes for which they were established.

Here was advocated (1857) an international treaty to neutralize any isthmian canal "in time of war as in time of peace."

Mr. Secretary Seward, July 11, 1862, with the approval of President Lincoln, through Mr. Charles Francis Adams, minister to England, called attention of the British Government to a threatened infraction of the treaty—Clayton-Bulwer—guaranty of neutrality, and received a prompt response that that Government "would readily cooperate with the United States in making good her guaranty." A favorable response was received about the same time from France.

Secretary Evarts, April 19, 1880, in calling attention, through our minister to Colombia, to certain supposed threatened violations of the 1846 treaty, affirmed the binding force of Article XXXV to "guarantee positively and efficaciously" the neutrality of the Isthmus of Panama and all transit across it; and again, July 31, 1880, in like manner, he warned Colombia as follows:

It is, however, deemed prudent to instruct you, with all needful reserve and discretion, to intimate to the Colombian Government that any concession to Great Britain or any other foreign power, looking to the surveillance and possible strategic control of a highway of whose neutrality we are the guarantors, would be looked upon by the Government of the United States as introducing interests not compatible with the treaty relations which we maintain with Colombia.

President Hayes, in his annual message, December 6, 1880, expresses his views as to the same treaty thus:

The relations between this Government and that of the United States of Colombia have engaged public attention during the past year, mainly by reason of the project of an interoceanic canal across the Isthmus of Panama, to be built by private capital under a concession from the Colombian Government for that purpose. The treaty obligations subsisting between the United States and Colombia, by which we guarantee the neutrality of the transit and the sovereignty and property of Colombia in the Isthmus, make it necessary that the conditions under which so stupendous a change in the region embraced in this guaranty should be effected—transforming, as it would, this Isthmus from a barrier between the Atlantic and Pacific Oceans into a gateway and thoroughfare between them for the navies and the merchant ships of the world—should receive the approval of this Government, as being compatible with the discharge of these obligations on our part and consistent with our interests as the principal commercial power of the Western Hemisphere.

Mr. Blaine, Secretary of State, June 24, 1881, doubtless with President Garfield's approval, issued a circular letter in which he expressed emphatic views as to the existing New Granada treaty—1846—from which I read an extract:

The United States recognizes a proper guarantee of neutrality as essential to the construction and successful operation of any highway across the Isthmus of Panama, and in the last generation every step was taken by this Government that is deemed requisite in the premises. The necessity was foreseen and abundantly provided for long in advance of any possible call for the actual exercise of power.

In 1846 a memorable and important treaty was negotiated and signed between the United States of America and the Republic of New Granada, now the United States of Colombia. By the thirty-fifth article of that treaty, in exchange for certain concessions made to the United States, we guaranteed positively and efficaciously the perfect neutrality of the Isthmus and of any interoceanic communications that might be constructed upon or over it for the maintenance of free transit from sea to sea; and we also guaranteed the rights of sovereignty and property of the United States of Colombia over the territory of the Isthmus as included within the borders of the State of Panama.

In the judgment of the President this guarantee, given by the United States of America, does not require reenforcement, or accession, or assent from any other power. In more than one instance this Government has been called upon to vindicate the neutrality thus guaranteed, and there is no contingency now foreseen or apprehended in which such vindication would not be within the power of this Nation. * * *

Lord Granville, responding to Secretary Blaine's circular, November 10, 1881, used this language:

I should wish, therefore, merely to point out to you that the position of Great Britain and the United States, with reference to the canal, irrespective of the magnitude of the commercial relations of the former power with countries to and from which, if completed, it will form a highway, is determined by the engagements entered into by them respectively in the convention which was signed at Washington on the 19th of April, 1850, commonly known as the Clayton-Bulwer treaty, and Her Majesty's Government rely with confidence upon the observance of all engagements of that treaty.

President Arthur likewise, in his annual message, December 6, 1881, affirmed the binding force of the same treaty and the determination of the United States to keep it sacredly.

Colombia made several appeals to the United States to employ troops to enforce its guaranty of the Isthmus by suppressing internal or domestic disturbances of various kinds on the Isthmus, but these appeals were disregarded by the United States, it being generally claimed that the guaranty only applied when attacks were made from abroad, but it still reserved the absolute right, under the treaty, to forcibly interfere when the free transit across the Isthmus was interrupted by anybody.

Secretary Evarts in a communication to Mr. Sherman, Secretary of the Treasury, November 14, 1879, said:

Article 35 of the treaty between the United States and New Granada of December 12, 1846, clearly looks to keeping the isthmian transit open, even in time of war, as a public highway.

I have already referred to Mr. Roosevelt's recognition of the New Granada treaty when negotiating for the Canal Zone and the right to build the Panama Canal.

President Cleveland, in his annual message, December 8, 1885, gave expression of his views on the neutralization of the Isthmus of Panama and of any highway across it, thus:

Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit, a trust for mankind, to be removed from the chance of domination by any single power, nor become a point of invitation for hostilities or a prize for warlike ambition. An engagement, combining the construction, ownership, and operation of such a work by this Government, with an offensive and defensive alliance for its protection, with the foreign State whose responsibilities and rights we would share, is, in my judgment, inconsistent with such dedication to universal and neutral use, and would, moreover, entail measures for its realization beyond the scope of our national polity or present means.

The lapse of years has abundantly confirmed the wisdom and foresight of those earlier administrations which, long before the conditions of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of interoceanic transit across the American Isthmus and consecrated it in advance to the common use of mankind by their positive declarations and through the formal obligation of treaties. Toward such realization the efforts of my administration will be applied, ever bearing in mind the principles on which it must rest and which were declared in no uncertain tones by Mr. Cass, who, while Secretary of State, in 1858 announced that "what the United States want in Central America, next to the happiness of its people, is the security and neutrality of the interoceanic routes which lead through it."

Also, in the same message:

These suggestions may serve to emphasize what I have already said on the score of the necessity of a neutralization of any interoceanic transit; and this can only be accomplished by making the uses of the route open to all nations and subject to the ambitions and warlike necessities of none.

These references, though covering only a small part of those of the same import, must suffice to show the views and policy of Presidents, secretaries of state, and statesmen on the subject of neutralization; that is, to keep at all times any Panama Canal "open to all nations and subject to the ambitions and warlike necessities of none."

The Clayton-Bulwer treaty of 1850 is most significant in determining that the policy of the United States has consistently been for neutralization. It was negotiated in President Taylor's administration in the light of the then-settled policy, and it had his warm approval. Taylor died July 8, 1850, and was succeeded by Vice President Fillmore. It was ratified by the Senate May 22, 1850.

Article I of this treaty, among other things, provides:

The Governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over said ship canal, agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof.

And by Article II it was agreed that American and British vessels traversing the canal should, in case of war between the parties, be exempt from blockade, detention, or capture by either of the belligerents, and that this provision should extend to such a distance from the ends of the canal as might be found convenient to establish.

Article V provides that when the canal was completed that they would—

protect it from interruption, seizure, or unjust confiscation, and guarantee its neutrality, so that the said canal may forever be open and free.

Article VI provides that—

The contracting parties * * * engage to invite every other State with which both or either have friendly intercourse to enter into stipulations with them similar to those which they have entered into with each other.

This shows the policy of both countries to be to make a general international agreement to neutralize any canal when built.

And Article VIII of said treaty provides for the "general principle" of neutralization stated in the treaty and by which the canal is—

to be open on like terms to the citizens and subjects of every other State.

President Taylor, in his first annual message to Congress, December 4, 1849, advocated the building of an isthmian canal, and strongly expressed views in favor of its complete neutralization, thus:

Should such a work be constructed under the common protection of all nations, for equal benefits to all, it would be neither just nor ex-

pedient that any great maritime state should command the communication. The territory through which the canal may be opened ought to be freed from the claims of any foreign power. No such power should occupy a position that would enable it hereafter to exercise so controlling an influence over the commerce of the world or to obstruct a highway which ought to be dedicated to the common uses of mankind.

In President Taylor's message, April 22, 1850, transmitting the Clayton-Bulwer treaty to the United States Senate, he says:

This treaty has been negotiated in accordance with the general views expressed in my message to Congress in December last.

And he adds that—

Should this treaty be ratified, it will secure in future the liberation of all Central America from any kind of foreign aggression.

At the time negotiations were opened with Nicaraugua for the construction of a canal through her territory I found Great Britain in possession of nearly half of Central America as the ally and protector of the Mosquito King. It has been my object in negotiating this treaty not only to secure the passage across the Isthmus to the Government and citizens of the United States by the construction of a great highway dedicated to the use of all nations on equal terms, but to maintain the independence and sovereignty of all the Central American Republics.

And also:

The principles by which I have been regulated in the negotiation of this treaty are in accordance with the sentiments well expressed by my immediate predecessor on the 10th of February, 1847, when he communicated to the Senate the treaty with New Granada for the protection of the railroad at Panama. It is in accordance with the whole spirit of the resolution of the Senate of the 3d of March, 1835, referred to by President Polk, and with the policy adopted by President Jackson immediately after the passage of that resolution, who dispatched an agent to Central America and New Granada to open negotiations with those Governments for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as might undertake to open a communication between the Atlantic and Pacific Oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever by such stipulations the free and equal right of navigating such canal to all nations on the payment of such reasonable tolls as might be established.

President Pierce, in a message to Congress December 1, 1854, spoke of neutrality thus:

An effort should be made to make the doctrine of neutrality a principle of international law, by means of special conventions between the several powers of Europe and America.

President Grant, in a like message, December 6, 1869, discussed and advocated the neutralization of any interoceanic canal, and to secure that end he caused instructions to be given to our minister to Colombia to obtain authority to construct such a canal across the Isthmian territory.

Before the United States could acquire the concession from the French company to build the Panama Canal, it was absolutely necessary, by a further treaty with Great Britain, to abrogate at least so much of Article I of the Clayton-Bulwer treaty as precluded the United States from ever obtaining or maintaining for itself any control over any ship canal across the Isthmus of Panama.

Accordingly, under the auspices of President McKinley a treaty was negotiated with Great Britain and signed February 5, 1900, called the Hay-Pauncefote treaty. It contained general and special provisions relating to full neutralization, using such declarations as that—

The canal shall be free and open, in time of war as in time of peace, to the vessels of commerce and of war of all nations on terms of entire equality * * *. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it * * *. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary.

And among other provisions it contained—section 7, Article II—this:

No fortifications shall ever be erected commanding the canal or the waters adjacent.

This treaty also adopted the rules of neutralization substantially as embodied in the treaty or convention dated October 29, 1888, for the neutralization of the Suez Canal, which rules expressly require it to remain—

open in time of war as a free passage, even to the ships of war of belligerents.

This treaty was negotiated by John Hay and recommended to the Senate of the United States for ratification by President McKinley with all its neutralization provisions, and was ratified by it without striking out one of them, but with a mild amendment reserving to the United States, against certain sections only of the treaty, the right to take measures deemed necessary to secure—

by its own forces the defense of the United States and the maintenance of public order.

It was drawn so as to leave the provision—section 7—against fortifications unaffected. No right to fortify the canal was even sought to be reserved by the Senate amendment or otherwise. Pending the consideration of this treaty in the Senate, December 17, 1900, a motion to strike out the clause prohibiting fortifications on the canal was voted down by a large majority. Other votes were then taken to the same effect with like results. They were equivalent to an affirmative vote in opposition to fortifying the Panama Canal, and they affirmed the long-adhered-to policy of neutralization.

But Great Britain sternly refused to ratify the treaty with this mild Senate amendment added, and the whole treaty failed to go into effect.

A new Hay-Pauncefote treaty, signed November 18, 1901, was negotiated under the direction of President Roosevelt, which was ratified by the Senate December 16, 1901, on his recommendation, which also provided for the neutralization of the canal as amply as the first one, as I shall later more particularly point out. (President McKinley died September 14, 1901.)

The subsequent treaty, dated November 18, 1903, negotiated with the Republic of Panama, under the direction of President Roosevelt, recommended by him to the Senate for ratification in 1904, and without amendment ratified by it on February 23, 1904, and then ratified February 25, 1904, and proclaimed, February 26, 1904, by him as a binding treaty, also expressly neutralized the Panama Canal exactly as stipulated in the Hay-Pauncefote treaty. Article XVIII of this treaty reads:

The canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be opened upon the terms provided for by section 1 of Article III of, and in conformity with all the stipulations of, the treaty entered into by the Government of the United States and Great Britain November 18, 1901.

It will be seen that this article adopts and reaffirms the Hay-Pauncefote treaty with Great Britain and makes its provision as to neutralization binding "in perpetuity" on the United States.

The Canal Zone was, by this treaty, acquired on the condition that the Panama Canal was to be forever neutral and never fortified. The Clayton-Bulwer, the existing Hay-Pauncefote, and the Republic of Panama treaties will each be more particularly referred to under the head, "Treaty obligations neutralize the Panama Canal."

Of equal significance with other action taken by the Government of the United States in showing its settled policy of neutralization of any isthmian or interoceanic canal was its attitude looking toward the building of a Nicaragua canal. Not until 1903 was it absolutely determined to build on the Panama route. In 1900 President McKinley instructed Secretary John Hay to open negotiations with Nicaragua for the acquisition of the right to build a canal from the Caribbean Sea via Lake Nicaragua to the Pacific Ocean. This resulted in a protocol being signed—December 1, 1900—by which each country agreed mutually—

to enter into negotiations with each other to settle the plan and the agreements in detail, found necessary to accomplish the construction of the canal—

as soon as the President of the United States was authorized by law to acquire from Nicaragua the desired territory. This protocol was signed on the express condition of neutralization stated therein, thus:

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Nicaragua.

It will be noted that the reference is to the Hay-Pauncefote treaty of February 5, 1900, already referred to as never ratified by Great Britain on account of the Senate amendment.

This treaty of February 5, 1900, provided, as we have pointed out, for neutralization against blockade and against the fortification of the canal.

It is seen that Presidents McKinley and Roosevelt, aided by their distinguished Secretary of State, John Hay, each, in this century, negotiated, recommended, and ratified treaties to secure the neutralization of an isthmian canal, and to prevent "in perpetuity" its blockade or fortification.

MONROE DOCTRINE—PATRIOTISM.

By some persons it has been claimed that neutralization by international treaty with European countries would be a violation of the Monroe doctrine. This view has no foundation and is taken without understanding what the Monroe doctrine comprehends. It had its origin in a purpose to protect former American Spanish dependencies which had declared and obtained their independence and become American Republics. It was feared that the "Holy alliance," which "waged war against freedom," as declared by Lord Brougham, "wherever it is found," would interfere with these young Republics. The "Holy alliance" was a compact—Paris, 1815—between the Emperors of Austria and Russia and the King of Prussia, absolute sovereigns, to subordinate civil governments and politics to the Christian religion. To curb its schemes the Monroe doc-

trine was promulgated, really on a suggestion by Mr. Canning, from Great Britain, and to warn the "Holy alliance" and all monarchical European powers not to attempt to control American Republics. It had nothing to do with matters relating to commerce or other international affairs. President Monroe announced it in his annual message of December 2, 1823. It was only a declaration against the interposition of European powers to control American nations in their form of government—nothing more. Jefferson, by letter to President Monroe, October 24, 1823, so defined it, likewise Henry Clay, who about the same time introduced in the House of Representatives a resolution declaring it to be the policy of the United States not to permit—

Allied powers of Europe in behalf of Spain to reduce to their former subjection those parts of the Continent of America which have established and maintained for themselves respectively independent governments.

The danger apprehended was, as Mr. Clayton stated, that the allied powers "would overturn the Spanish American States and reestablish therein monarchical forms of government." The Monroe doctrine had no other object than to prevent such action by the "Holy alliance" or "Allied powers," both of which, as possible political entities, have long since passed away.

What has already been made to appear as the unbroken policy and public acts and expressions of Presidents and statesmen of this country, commencing with President Monroe to the present time, and, as appears in numerous negotiations and treaties relating to the neutralization of any isthmian canal to which European countries have been a party, conclusively show none of the Presidents or statesmen have regarded such neutralization in conflict with the Monroe doctrine. President Monroe caused in his administration to be negotiated the Rush-Bagot treaty of April, 1817, neutralizing all our great northern lakes, which has proved of the utmost benefit to our progress in civilization, as we have clearly pointed out. The Clayton-Bulwer—1850—and the two Hay-Pauncefote—1900-1901—treaties are like examples of neutralization treaties with European powers.

To pronounce the neutralization by international treaty of the Panama Canal in violation of the Monroe doctrine or as unpatriotic is to assail the wisdom and patriotism of Presidents Monroe, John Quincy Adams, Jackson, William Henry Harrison, Polk, Taylor, Fillmore, Buchanan, Lincoln, Grant, Hayes, Garfield, Benjamin Harrison, Cleveland, McKinley, and Roosevelt, as each of them participated in and recognized or favored negotiations and treaties with a European power to secure neutralization of the Isthmus of Panama, or of a canal across it; and in such condemnation must be placed great and learned Secretaries of State and statesmen, such as Webster, Clay, Clayton, Cass, Everett, Evarts, Blaine, Day, Hay, and others, who prominently took part in such negotiations and treaties or advocated or indorsed the embodiment of the principles of neutralization, including nonfortification therein, and to which class should be added the Senators who voted to ratify the several treaties establishing it and both Senators and Representatives who voted for resolutions declaratory of such neutralization.

Presidents Taylor, Pierce, and Polk, as already shown, each urged that efforts should be made to extend the neutralization of the canal, by international treaty, with all the powers, and President McKinley and the large number of United States Senators who, by ratifying the Hay-Pauncefote treaties, did likewise.

TREATY OBLIGATIONS NEUTRALIZE THE PANAMA CANAL.

Treaties * * * shall be the supreme law of the land. (Const. U. S., Art. VI.)

The neutralization of the Panama Canal is now guaranteed:

First. By the United States-New Granada (Colombia) treaty, December 12, 1846.

Second. By Great Britain and the United States—Clayton-Bulwer treaty, April 19, 1850. This treaty was superseded, except as to neutralization, by the Hay-Pauncefote (1901) treaty.

Third. By Great Britain and the United States—Hay-Pauncefote treaty, November 18, 1901. This treaty adopted the rules and principles of neutralization embodied in the Suez Maritime Canal treaty of October 29, 1888, and made it a part thereof.

Fourth. By Colombia—contract stipulation with the Universal Interoceanic Canal Co. and its successors—later, New Panama Canal Co., now United States Isthmian Canal Commission, as successors.

Fifth. By the United States and the Republic of Panama—treaty November 18, 1903, Article XVIII.

What has been said under the last heading renders it unnecessary to do little more than recall the existing treaties which bind the United States to maintain the Panama Canal in a state of perpetual neutralization; that is, free and open to ships of all nations, on payment of proper tonnage dues "in time of war as in time of peace."

Of course, if an international treaty with the principal powers can not be negotiated guaranteeing the neutrality of the Panama Canal, and Great Britain should fail or decline to keep her treaty obligation guaranteeing its neutralization, an exigency might possibly arise whereby the United States would be forced to disregard her treaty obligations to maintain its neutrality in time of war with a belligerent that refused to recognize such neutrality. Neither of these things is ever likely to occur. With Great Britain alone, under the existing treaty, or the powers who may become guarantors of the neutralization of the canal, standing to their guaranties, there would not be a remote possibility of any nation, in time of peace or war, doing injury to the canal.

The long-proclaimed policy of complete neutrality for any canal across the Isthmus of Panama should be of itself, regardless of any treaty obligations with civilized nations, a pledge, binding in national honor, the United States to forever maintain the Panama Canal in a state of complete neutralization.

And the plain reading of the several existing treaties renders their discussion largely unnecessary and unprofitable. Since I made a somewhat lengthy address here—May 17, 1910—at a previous session of this Congress, I have further investigated the question and the history of our treaty obligations to forever stand for the neutralization of the Panama Canal, and I find that not to do so will be to break faith with the nations of the civilized world, and especially with at least three nations with whom, at our own solicitation, we have made treaties, now in full force, expressly providing for its neutralization and, of course, its nonfortification. In the negotiation of no one of them was it ever sought to reserve the right to the United States to fortify the canal as a protection against its attack or seizure by any nation.

Passing over earlier negotiations, I come again to the treaty of 1846 with New Granada, now Colombia, which is on all hands regarded as in full force. (See State Department's Compilation of Treaties in Force, 1904.)

Concessions to the United States are made by that treaty on the Isthmus of Panama, and Article XXXV grants to the United States and its citizens transit across it by any then existing and thereafter to be constructed modes of travel.

The same article guarantees "positively and efficaciously the perfect neutrality" of the Isthmus of Panama, thus:

And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists.

This treaty, as stated, was invoked by President Roosevelt (1904) as securing valuable reciprocal rights to the United States in the Isthmus of Panama or Central America.

This guaranty is based on considerations moving to the United States, long and still enjoyed by it.

Paragraph 6, Article XXXV, reads:

Any special or remarkable advantage that one or the other power may enjoy from the foregoing stipulations are and ought to be always understood in virtue and as in compensation of the obligations they have just contracted and which have been specified in the first number of this article.

The first paragraph of this treaty provides that the rules laid down in it "shall in future be religiously observed between" the parties.

COLOMBIA'S GUARANTY.

On the faith of the guaranty of neutrality by the United States of any Isthmian Canal, Colombia, in its original contract—March 23, 1878—with Lucien N. B. Wyse, for the Universal Interoceanic Canal Co. and its successors, as finally modified by the Colombian Congress, May 17, 1878, itself guaranteed "for all time" the neutrality of the canal proposed to be built, and that in case of war between nations the transit of the canal shall not be interrupted, thus:

ART. V. The Government of the Republic declares neutral for all time the ports at both ends of the canal and the waters of the same from one ocean to the other, and in consequence, in case of war between nations, the transit of the canal shall not be interrupted, and the merchant vessels and individuals of all the nations of the world can enter said ports and pass through the canal without being molested.

The right thus acquired—April 23, 1903—for $40,000,000 by the United States from the French Company to build the Panama Canal is based on this neutrality consideration, which it then agreed to carry out in good faith.

The French Company did not undertake to, nor could it, transfer any other, greater or different right than it possessed.

The language used in the conveyance to the United States by the New Panama Canal Co. (successor to the rights of the earlier French Company) reads—

do grant, sell and assign, transfer, and set over to the United States of America absolutely, in full ownership, the totality, without exception, of the company's property and rights on the Isthmus of Panama.

Shall the canal, after its construction was made possible by treaty and other obligations, each of which pledged its neutralization, be blockaded and made a fortified highway, grinning with batteries and cannon, closed to all nations, ships, and flags, save as opened at the will and pleasure of the United States alone? What would our great predecessors say to this?

The violation of the guaranty of neutrality contained in this contract alone would, if there were no other such guaranties, be at the sacrifice of national honor, fraught with consequences too serious to speculate about here.

The neutralization which this the greatest and most powerful Republic on the earth, always boastful of its Christian civilization, has so long insisted should be applicable to any nation of the world or to any authority that might build or cause to be built a canal across this Isthmus should be maintained.

HAY-PAUNCEFOTE TREATIES—FEBRUARY 5, 1900, AND NOVEMBER 18, 1901.

Before the United States acquired the right or had determined to construct a canal across the Isthmus of Panama, attention was called to the provisions of the Clayton-Bulwer treaty, 1850, which prohibited both Great Britain and the United States from ever obtaining or maintaining—

any exclusive control over the said ship canal, agreeing that neither would erect or maintain any fortifications commanding the same or in the vicinity thereof.

It was seen that so much of that treaty as prohibited the United States from acquiring any interest in or control over "said ship canal" must be abrogated or superseded or the United States could not build any Isthmian Canal at all. President McKinley directed John Hay, Secretary of State, to negotiate a treaty to remove this prohibition.

A treaty was signed at Washington February 5, 1900, by Mr. Hay and Lord Pauncefote, which did not provide for a supersession of the Clayton-Bulwer treaty, but stipulated—Article I—that under its auspices the United States might construct, regulate, and manage a canal "subject to the provisions of the present convention."

Without impairing the general principle of neutralization embodied in the Clayton-Bulwer treaty, this 1900 Hay-Pauncefote treaty, as stated therein, was drawn.

Article II thereof not only provides for retaining the "general principle" of neutralization established in the Clayton-Bulwer convention—Article VIII—but it adopted "as the basis of such neutralization" rules "substantially as embodied" in the convention between Great Britain and certain other powers, signed at Constantinople October 29, 1888, for the free navigation of the Suez Maritime Canal," that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary, and the transit of such vessels through the canal shall be effected with the least possible delay, in accordance with the regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time, except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within 24 hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as part of the canal.

7. No fortifications shall be erected commanding the canal or the waters adjacent. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

This treaty, as before stated, was never ratified by Great Britain, one of the parties thereto. Its ratification without change was recommended by President McKinley in his message of transmittal to the Senate, dated the day it was signed.

The Senate, before ratification, amended it in three particulars, namely:

1. By adding, in Article II, after the words "Clayton-Bulwer convention," the words "which convention is hereby superseded."

2. By adding, at the end of paragraph or section 5 of Article II, the following:

It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections Nos. 1, 2, 3, 4, and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order.

3. By striking out Article III, relating to inviting other powers to adhere to the treaty.

It will be again noticed that the Senate amendment did not attempt to modify section 7 of Article II, which prohibited fortifications.

This section was not, by the amendment, to be affected; it was not included, as will be seen, as one to be modified, and it follows that whatever was authorized to be done under the amendment would exclude the erection of fortifications.

The Senate amendment would have left the United States, had the treaty been ratified, the right only to use its own forces for its own defense and to preserve public order, but without the right to fortify the canal. Nothing is said in the amendment about fortifications nor about the United States having the right to do anything on the line or as to the canal, not even to protect it.

On December 20 the Senate voted down a motion to amend the treaty by striking out section 7, thereby expressly affirming its view that if the canal was neutralized it could not be fortified.

Not even the defense or preservation of the canal was provided for by the amendment, only for "the defense of the United States and the maintenance of public order." To have provided, as was well understood by the Senate, for the defense or preservation of the canal separately by the United States would have been a total abandonment of the whole principle of neutralization guaranteed by Great Britain and the United States.

Thus amended, this treaty, of February 5, 1900, was, December 20, 1900, ratified by the Senate.

No Senate amendment attempted to annul any part of the neutrality provided for in the treaty, but left it in full force. Great Britain and the United States remained jointly bound to maintain the neutralization of the canal. Great Britain was not by the amendment to be released from its guaranty at any time or under any circumstances. The amendment was so regarded by Great Britain. Lord Lansdowne, speaking of it, said:

If the amendment were added, the obligations to respect the neutrality of the canal in all circumstances would, so far as Great Britain is concerned, remain in force.

Great Britain refused to ratify the treaty as amended, for the expressed reasons that it was not intended to supersede the Clayton-Bulwer treaty without a full recognition of the principle of neutralization contained in it being included in a new treaty and because the second amendment might lead to misunderstandings and a possible violation of the "general principle of neutrality."

Another Hay-Pauncefote treaty, November 18, 1901, recognized, in effect, the neutrality, including the nonblockade and nonfortification principles embodied in the rejected one.

The correspondence between Lord Pauncefote and Secretary Hay relating to the later treaty clearly shows that while different language is, in some places, used in the last of the two treaties than in the former one, it was because that substituted was regarded as more clearly declarative of the principles of neutrality sought by each nation to be maintained, and some language was omitted because unnecessary and tautological.

Mr. Hay, pending the negotiations regarding the new treaty, pointed out that the—

preamble of the draft treaty retained the declaration that the general principle of neutralization established in Article VIII of the Clayton-Bulwer convention was not impaired.

And—

To reiterate this in still stronger language in a separate article and to give to Article VIII of the Clayton-Bulwer convention what seemed a wider application than it originally had would be unnecessary.

This view was acceded to by the British commissioner with the distinct understanding that the new treaty did not abate anything from the former one as to neutralization.

Even the defensive right attempted to be reserved to the United States by the Senate amendment was, in the new treaty, wholly abandoned, and definite language, as we shall see, was added to leave no doubt about the neutralization of the canal "in time of war as in time of peace."

The authority to the United States to construct a ship canal to connect the Atlantic and Pacific Oceans was not only granted without impairing the "general principle" of neutralization established by Article VIII of the Clayton-Bulwer treaty, as in the former one, but the neutralization of the canal was also required to be maintained, "substantially as embodied" in the October 29, 1888, convention "for the free navigation of the Suez Canal."

Lord Landsdowne, August 3, 1901, in a memorandum relating to the negotiations for the later Hay-Pauncefote treaty, says:

> In form only the new draft differs from the convention of 1900 * * *.
>
> In the new draft the United States intimate their readiness to adopt somewhat similar rules as the basis of the neutralization of the canal.

It has been claimed that by the use of the words "general principle of neutralization established in Article VIII" of the Clayton-Bulwer treaty nothing is meant save such neutralization as the article alone specificially provides, which is further claimed to be practically none at all. These claims are based on the assumption that the negotiations of the Hay-Pauncefote treaty, in this respect, did not accomplish any neutralization. Article VIII was inserted in the treaty expressly to make all the stipulations of it relating to the neutralization of a then proposed Nicaragua canal apply to any canal that might be constructed across the Isthmus, by whomsoever constructed.

The Clayton-Bulwer treaty was negotiated with reference to a canal proposed to be constructed via the river San Juan and over either or both Lakes Nicaragua or Managua, the United States and Great Britain agreeing that neither would obtain any exclusive control over the same. And it is therein—Article II—further provided that the vessels of either country—

> shall, in case of war between the contracting parties, be exempt from blockade, detention, or capture by either of the belligerents.

By it, Great Britain and the United States each was pledged not to build, own, control, or manage any canal over the Isthmus. They then jointly bound themselves to see that no canal whatever should be there maintained save in a perfect state of neutralization; and to that end, and to no other, Article VIII was incorporated and it has ever since been so regarded.

These are only some of the protective principles of neutralization included in the "general principle" established by the Clayton-Bulwer treaty and now applicable under the Hay-Pauncefote treaty to the Panama Canal.

The article itself shows that the "general principle" referred to meant the protection of neutrality which the article also provides shall be extended to any canal other than by the Nicaraugua route that might be built.

After stating in the opening sentence—Article VIII—that both countries—

> having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the Isthmus * * *; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other state which is willing to grant thereto such protection as the United States and Great Britain afford.

The "general principle" to be accomplished, therefore, could relate to nothing but the neutralization provided for in the whole treaty.

What was desired to be accomplished in entering into the convention—treaty—and what "protection" was agreed to be extended by it if it was not the guarantee of neutralization specified in the treaty?

The only protection promised for the canal when completed is in Article V of the treaty, which reads thus:

> The contracting parties further engage, that when the said canal shall have been completed, they will protect it from interruption, seizure, or unjust confiscation, and that they will guarantee the neutrality thereof, so that the said canal may forever be open and free and the capital invested therein secure. Nevertheless, the Governments of the United States and Great Britain, in according their protection to the construction of the said canal, and guaranteeing its neutrality and security when completed, always understand that this protection and guarantee are granted conditionally.

Why agree to "protect" the canal "from interruption or unjust confiscation" if its owner was left to fortify and protect it alone? The guaranty of neutrality is made to depend on and it constitutes the consideration for the extraordinary "protection" stipulated for.

It is not reasonable to insist that the promised protection by the parties to the treaty, open to be granted by any other nation on like terms, was made, leaving any country to insist upon its fulfillment, and the United States at the same time possessed of the right, exclusively, if desired, to take complete possession of the canal.

While the Clayton-Bulwer treaty was superseded, it was only on the readoption "without impairing" any of its principles of neutralization.

Substantive parts of the Hay-Pauncefote treaty of November 18, 1901, relating to neutralization are here given:

ART. II. It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

ART. III. The United States adopts as the basis of the neutralization of such ship canal the following rules, substantially as embodied in the convention of Constantinople, signed the 28th October, 1888, for the navigation of the Suez Canal—that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary, and the transit of such vessels through the canal shall be effected with the least possible delay, in accordance with the regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time, except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within 24 hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as part of the canal.

The plain provisions as to neutralization included in this treaty are, to repeat, that—

1. The basis of the neutralization of such ship canal shall be substantially the same as embodied in the convention * * * for the free navigation the Suez Canal.

The canal shall be free and open to the vessels of commerce and of war of all nations * * * so that there shall be no discrimination against any such nation or its citizens or its subjects.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it.

The United States, however, shall be at liberty to maintain such military force along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary. * * * Prizes shall be subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal except in case of accidental hindrance of the transit.

5. The provisions of this article (III) shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time * * * but a vessel of war of one belligerent shall not depart within 24 hours from the departure of the vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed a part thereof for the purposes of this treaty, and in time of war as in time of peace shall enjoy complete immunity from attack or injury by belligerents.

ART. IV. No change of territorial sovereignty * * * shall affect the general principle of neutralization or the obligation of the high contracting parties under the present treaty.

Why provide in the treaty that the canal "shall be free and open to the vessels of commerce and of war of all nations;" that it "shall never be blockaded;" that no "right of war shall be exercised;" that no "act of hostility shall be committeed within it;" that vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary;" that "no belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal except in case of accidental hindrance;" that Article III, including all neutralization, "shall apply to waters adjacent to the canal within 3 marine miles of either end;" that "vessels of war of a belligerent shall not remain in such waters more than 24 hours at any one time;" that a vessel of war of one belligerent shall not depart within 24 hours from the departure of the vessel of war of the other belligerent;" that "the plant, establishment, buildings, and all works necessary to the construction, maintenance, and operation of the

canal shall be deemed a part thereof for the purposes of the treaty, and in time of war as in time of peace shall enjoy complete immunity from attack or injury by belligerents;" and that "no change of sovereignty shall affect the general principle of neutralization" if the canal is not to be neutralized—that is, free and open to vessels of commerce and of war—save at the volition of the United States after fortifications are built; if it is to be blockaded—that is, fortified—if there is to be a right of war exercised by fortifications, guns, and armed force; if the right to commit acts of hostility are insisted upon by preparations to commit them; if vessels of war of belligerents shall not be permitted to enter and pass through the canal save with the possible consent of the United States, and then under its guns and menacing ships of war; and if the plant, works, and operation of the canal are not to be regarded as a part of it, and with it to enjoy complete immunity from attack or injury by belligerents "in time of war as in time of peace," why so declare in the treaties? Why provide that all belligerents shall not revictual nor take any stores nor embark or disembark troops, munitions of war, or warlike materials if the treaty does not authorize them to freely enter the canal at all?

Why say the provisions of Article III shall apply to waters adjacent to the canal and within 3 marine miles of either end if no rights or immunity is secured thereby?

Why provide that no change of territorial sovereignty shall affect the general principle of neutralization or the obligation of the high contracting parties if there is no neutralization nor recognized obligation relating thereto?

Why provide for neutralization as embodied in the Suez Canal treaty if there is to be none?

Again, I repeat that paragraph 3, Article III, by providing for the conduct of "vessels of war of a belligerent," conclusively interprets the treaty to mean that such vessels of war may, unmolested, enter and pass through the canal in time of peace or of war "and enjoy complete immunity" while doing so.

BLOCKADE.

Blockade is prohibition of ships of all kinds, friendly or not, against entering a port or place for any purpose.

There may be a blockade without fortifications, but there can not be fortifications in operation on a river or canal, or at the inlets thereof, without a blockade. This was so adjudicated by our Supreme Court in the case of *The Circassian* (2 Wall., 69 U. S., p. 135). It was claimed in that case that no blockade of the Mississippi River existed at and below New Orleans, in the absence of blockading ships, and after its capture on May 4, 1862, but the court (syllabus) held:

A blockade may be made as effectual by batteries on shore as well as by ships afloat.

Chief Justice Chase, in delivering the opinion of the court, said:

Blockade may be made effective by batteries ashore as well as by ships afloat. In the case of an inland port the most effective blockade would be made by batteries commanding the inlet by which it may be approached.

So in the case of the Panama Canal, the most effective possible blockade of it would be made by fortifications; they can accomplish no other purpose.

Justice Nelson, in the same case, defines blockade thus:

A blockade under the law of nations is a belligerent right and its establishment an act of war.

Submarine mines are now held sufficient to create a blockade.

It follows that there can be no effective fortifications of the Panama Canal without its blockade and "an act of war," resulting in a violation of the second paragraph of Article III of the treaty. Batteries manned and with guns commanding the canal or its entrances would constitute an open act of war and a consequent breach of more than one stipulation of existing treaties. Only batteries or guns located at the terminals of the canal can ever be used, if any, and they only for blockade purposes. No engagement can or will take place in the canal.

Of what utility would fortifications be?

If "vessels of commerce and of war" have the right at all times to enter and pass through the canal, what purpose would be accomplished by erecting batteries along it?

When would or could they be used? Which way will the guns in the batteries be pointed—toward or from the canal? Are they to be all along its lines on both sides and trained on the locks or the ships which may pass through them? Battleships will never enter the canal to fight. They must enter and proceed singly, with intervals between. How, in war array, would they pass through the locks? If the guns are intended to be trained away from the canal to keep off an enemy, they had better be employed far away. In any case they will be wholly useless on the canal save for purposes of a blockade, which is forbidden by all the treaties.

If, with hostile intent, a ship should seek to enter the canal there would be many ways of preventing it without fortifications. A torpedo would blow it up and out. A foe bent on mischief to the canal would have no protection under neutralization. The guaranteeing powers, I repeat again, have the right at all times and places to enforce neutralization by armed forces. Their armies and navies would be used, not to blockade, but to keep the canal free and open to "vessels of commerce and of war" of all flags. Their ships of war, under the treaties, may be conveniently stationed for such purpose. It is so provided—Article VII—in the Suez Canal treaty, save as to belligerents. A port not blockaded is free and open for all ships of commerce. Vessels of any nation having the right to enter it can not, after entry, be ordered out or taken as prizes; they have all the rights usually possessed on the high seas and in open ports in time of peace. Likewise, a canal not blockaded is free and open for ships of commerce and of war in time of war as in time of peace, and having entered it, they are entitled to pass through it unmolested. Why then blockade?

If it be contended that batteries and an army may be maintained on the canal in a state of neutralization; that is, forbidden from ever being employed, and that being in such state the treaties would not be violated, besides the folly thus exhibited, it may be answered that such preparations for war have universally been regarded as inconsistent or incompatible with neutralization, a menace to it, and in themselves hostilities or acts of war, as I have before pointed out. But what of the supreme folly of such preparations and their perpetual maintenance at the cost of many millions of dollars? If made, all idea of neutralization by international treaty with the powers and the observance of existing neutralization treaties will be abandoned.

Nor can fortifications be justified on the pretext that a party to one of the treaties might, by possibility, seek to violate it. If this would justify one, it would equally justify each and all the guaranteeing parties to each treaty of neutralization in erecting fortifications.

Why has not somebody in the last 94 years insisted on fortifying our Great Lake cities and harbors on the pretext that England might violate the neutrality treaty of 1817?

WHY ATTEMPT TO KEEP ANY INTERNATIONAL TREATY?

Attempts to justify a violation of treaties on the ground that there was danger another nation will violate them are, however, not new, but they have never been sanctioned.

Jefferson, in an opinion on the inviolability of treaties—April 28, 1793—quotes approvingly an authority thus:

But it is not the possibility of danger which absolves * * * for that possibility always exists. (2 Whar. Int. Law, sec. 33.)

And our courts have held that—

In the fulfillment of treaty stipulations a liberal spirit should be observed * * *. (1 Wall., p. 352.)

That construction of a treaty most favorable to its execution as designed by the parties will be preferred. (8 Fed. Rep., p. 883.)

It must be kept steadily in mind that any violation of an international treaty of neutralization will subject the offending nation, whether a party to the treaty or not, to chastisement and to indemnity demands from the nonoffending parties to it; and they will be potential. There is therefore no need of any one of them preparing in advance to alone prevent, or redress, an injury prohibited by the treaty.

Moreover, it must be remembered that while there may be danger that a treaty between two nations may be broken by a war arising between them, such danger is not possible where, as in the Suez Canal treaty, there is a large number of nations parties to it, pledged to compel its enforcement. In the latter case no nation would dare violate the treaty.

Revolution does not even release a country from its treaty obligations.

Treaties to which nations other than the belligerents are parties are not even suspended by the war and all parties remain bound thereby.

There are also treaties relating to the conduct of war which are only brought into effect by war.

The treaty of 1894 between the United States and Great Britain provides, in case of war between them, "debts and choses in action shall not be confiscated." The modern tendency is to regard treaties as sacred in time of war as in time of peace.

If fortifications are in order, they might be erected outside of the Canal Zone limits, and the canal could thereby be blockaded by a foreign power. Panama, save as bound by treaties, would have that right; and it is not unreasonable to suppose that Republic may again become a part of Colombia, a nation of about 5,000,000 people, not now wholly friendly to the United States; and unfriendly relations with other Central

American or with foreign countries might arise by which the regions adjacent to the canal would become hostile.

Neutralization is the sole sovereign remedy against all possible danger.

If the United States may fortify and blockade the canal, so may any foreign nation. Not only is the mainland near enough for such blockade, but islands not owned by the United States, such as Taboga and Tavarilla, off the Pacific end, are near enough for that use, as appears by the recent report of the Panama Fortification Board. In that case, in time of war, in which the United States was engaged, it could not use it.

Japan is the only oriental power at all likely to attack us, and a war with her would be fought wholly in Pacific waters; and if a war came with a naval European power, it would most likely be fought out in Atlantic waters. In neither case would the Panama Canal be needed save for our fleet to come and go. In combined fleet we should meet any naval power with whom we were at war.

The canal would not be, if not fortified, used to play "hide and seek," nor would it be a place about which the war would center. If our Navy was doomed to defeat on either ocean it would still be open, if we had any fleet left, for it to run away and leave an abandoned coast for the enemy to prey upon at will. If a victorious fleet of the enemy should desire to pursue our fleet through the canal it would, as the treaties provide, have to wait after passing through for 24 hours before taking up the pursuit, which would suffice for a fleet to reach some home fortified harbor.

It may be said the Panama Canal is easier to injure than the Suez Canal, because of its locks, dams, and banks. This is only partially true, as the Suez Canal has its lakes—Timsah, Bitter, and others—and vulnerable parts on its longer line, requiring now for its protection constant patrol by vessels and the presence of police. The greater the danger the more important it is to be neutralized. No difference between the two will justify violating treaties.

The guaranty of neutrality operates effectually to secure the canal to the United States forever. It could not be lost by treaty even. If fortified, in case of defeat, as just stated, the canal would certainly be destroyed or taken from us by the victor.

Neutralization only will prevent our having to occupy the Canal Zone and adjacent waters with a considerable army and fleet whether our country is at war or not. And though successfully protected in war time, the enemy could blockade it against all commerce, our own or foreign, with one small roving war ship in either ocean, and most likely starve out our forces there. All our supply transports would in such case have to be convoyed by the Navy. Fortifications could blockade, but could not protect commerce. The vessels of commerce of the world would not attempt to pass through the canal amidst the scenes and dangers incident to war unless it is neutralized. Commerce, like money, is timid, and pursues only safe channels.

The last Hay-Pauncefote treaty may well be read in the light of the neutralization of the Isthmus of Panama guaranteed by the New Granada treaty of 1846 and by the more recent treaty, 1900, with Nicaragua, which provides for the neutralization of a proposed canal, based on the afterwards rejected, February 5, 1900, Hay-Pauncefote treaty, which also included neutralization substantially as embodied in the Suez Canal treaty. These treaties have each been adverted to.

I will, however, a little later, refer more fully to the neutralization embodied in the Suez Canal treaty, and I have already called attention to the neutralization expressly provided for in the Clayton-Bulwer treaty, both of which are made parts of the 1901 Hay-Pauncefote treaty, the same as if, as to neutralization, they were, in hec verba, included in it, and I have shown that "neutralization," when applied to a country or other place, forbids fortifications or other warlike preparations, and, therefore, that to fortify the Panama Canal would exclude the idea that it was "to be free and open to the vessels of commerce and of war of all nations."

Fortifications on the canal means armament and a large standing army, otherwise their existence would be worse than folly—they would alone, in the absence of neutralization, only be a convenient provision for a belligerent that might choose to occupy them. Unless used for blockade purposes, they can not be used at all for any practical purpose. No battle with ships in or with an army on the line of the canal will ever be fought where fortifications will or can be used. Blockade is expressly prohibited in all the treaties.

Although by a clause in paragraph 2, Article III, the United States is granted "liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder," there is no suggestion anywhere of a reserved right to fortify a part of it, even in aid of such police power.

Does the United States want to assume alone an attitude of defiant hostility to all the world when Great Britain willingly joins in guaranteeing the neutrality of the Panama Canal, and when other great nations also stand ready to do likewise?

The stipulation as to belligerents and their conduct "in time of war as in time of peace," found in the Suez Canal and Hay-Pauncefote treaties, was differently placed in the later one because, as stated in the diplomatic correspondence, it was logically the better place to employ it. Its meaning and purpose was the same in each treaty; that is, "that a condition of war, regardless of the nations involved, should not suspend neutralization," or, as expressed in the existing Hay-Pauncefote treaty, that "the canal shall be free and open to the vessels of commerce and of war of all nations."

If, in peace or war, the United States, by fortifications or otherwise, exercises the right to use it exclusively, or to prohibit some power from sending ships of "commerce or of war" through it, then its treaty obligations will be violated.

What, I repeat, do the several treaties mean by guaranteeing neutralization by the stipulations therein and by the adoption, for observance, of the neutralization contained in the Clayton-Bulwer and the Suez Canal treaties?

President Roosevelt, in his somewhat famous January 4, 1904, special message to Congress, among other indorsements of the binding obligations of the Hay-Pauncefote, November 18, 1901, treaty, including its guaranty of neutrality, used this significant language:

> Under the Hay-Pauncefote treaty it was explicitly provided that the United States should control, police, and protect the canal which was to be built, keeping it open for the vessels of all nations on equal terms. The United States thus assumed the position of guarantor of the canal and of its peaceful use by all the world. The guaranty included as a matter of course the building of the canal. The enterprise was recognized as responding to an international need; and it would be the veriest travesty on right and justice to treat the Governments in possession of the Isthmus as having the right, in the language of Mr. Cass, to close the gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them.

He in the same message, to support the view that an interoceanic canal should be neutralized, quotes approvingly Gen. Cass's famous saying that "sovereignty has its duties as well as its rights."

It will be noted that his language properly recognizes the treaty obligations to keep the canal open for the vessels of all nations, regardless of whether or not they are "vessels of commerce or of war;" that the guaranty of the canal is for "its peaceful use by all the world," and both he and Gen. Cass affirm the sound doctrine that the Governments in possession of the Isthmus have no right "to close the gates of intercourse on the great highways of the world."

Has this principle changed since the United States has acquired some sort of limited "possession," or sovereignty, on the Isthmus over only a 10-mile-wide strip of land across it?

RIGHT TO EMPLOY MILITARY POLICE.

Conclusive on the question of the construction of the existing Hay-Pauncefote treaty is the provision reading thus:

> The United States, however, would be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

This clause was inserted as a necessary equivalent of the inapplicable provision (Art. VIII) in the Suez Canal treaty, which primarily charges the agents of Egypt with the execution of that treaty and the protection of the Suez Canal from all danger. The right to maintain "military police along the canal" will not authorize fortifications along it, nor off the ends of it.

Here is specified the sole independent right the United States by any armed force is, under the treaty, authorized, separately from Great Britain, to exercise in relation to the protection or defense of the Panama Canal. The right is not even given by this clause to fortify the canal for the protection stated, and great batteries on the line of the canal would be worse than useless to protect or police it against lawlessness and disorder. Lawless or disorderly bands do not operate in front of fortifications. They can only be used, as I have shown, for purposes of blockade.

The treaty is entitled, as is the settled rule as to all international treaties, truces, and the like, to a most liberal construction in the interest of peace as against acts of war.

There is, however, another well-established rule applicable to the construction of all written instruments which undertake to grant or define rights or powers, namely, that the granting of one or more rights or powers operate to exclude the grantee from all others of like kind, and the rule is universal in all our courts that parole evidence of a further agreement or of

a different intention of the parties will not be admitted. The maximum of law, expressio unis est exclusio alterius, applies in such cases with severe vigor.

The expression of one right is to exclude all others:

Where parties have entered into written engagements with express stipulations it is manifestly improper to extend them by implication; the presumption is that having expressed some they have expressed all the conditions by which they intend to be bound.

It is, however, manifest that when it was agreed to stipulate that the United States should have the separate right to use a "military" police to protect the canal "against lawlessness and disorder," that no different or other military force or further right could by possibility have been contemplated or intended or that such right should be exercised for any other than the purpose expressed.

To repeat somewhat:

The last clause of paragraph 2, Article III, granting to the United States the "liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder" was, in some sense, a concession made on account of a Senate amendment to the former (1900) treaty. The provision giving the right to maintain "military police" does not separately authorize the United States to take any military or other forcible control of the canal looking to its fortification or defense; it only authorizes the United States to maintain a "military police along the canal * * * to protect it against lawlessness and disorder."

The right given—paragraph 5, Article III—for "vessels of war of a belligerent" to enter and "not to remain in such waters longer than 24 hours at any one time" is wholly inconsistent with a right existing in the United States to fortify the canal against the right of war or other vessels entering or using the canal at all.

It is a far-fetched argument to contend that it must be assumed that at some time some nation will be so base as to disregard the neutrality of the canal and proceed, while enjoying its neutrality, to destroy it.

Before a nation does this it will hesitate long, knowing that the signatory powers to the treaty of neutrality would hold it to a strict account and require an ample indemnity, and that they had the power to enforce their demands. The moral effect alone of such a treaty upon nations, parties to it or not, is very great.

The Suez Canal neutralization has never been violated, nor that of the Black Sea, the Bosphorus, the Danube, the Straits of Magellan, and other neutralized parts; nor has there been any violation of the treaty of 1817 with Great Britain to prevent ships of war on our northern lakes, whereby fortifications on their shores have been unnecessary.

Other cardinal rules of construction could be invoked, equally conclusive as to the meaning of treaties. The same rule applies to the construction of treaties as in the construction of statutes, namely, the general situation, existing conditions, surrounding circumstances, and the purposes intended to be accomplished are to be considered.

Tested by these rules and disregarding specific language used in the treaties, the general declarations therein for neutralization are alone sufficient to prohibit the United States from itself holding any separate military control over it, save to police and protect it against depredations of marauders; that is, exercise such watch and protective control over it as would be required if the canal was located in one of the most peaceful States.

It is proper to again add that there is nothing prohibiting the defense of the canal in case of a threatened attack; indeed, the guaranteeing nations are pledged to protect it from all hostile comers, so that it may always be, as designed, a highway "free and open to the vessels of commerce and of war of all nations."

There is also nothing to prohibit the United States or any guaranteeing power from stationing vessels of war at the entrance or exit ports of the canal. The signatory powers to the Suez Canal treaty are each permitted to keep, as we have seen, not exceeding two war vessels at Port Said and Suez.

The Hay-Pauncefote treaty was negotiated to secure the right to build a canal at all, a right the United States was forbidden to enjoy by the Clayton-Bulwer treaty, and the negotiation to secure such right did not proceed on a desire to obtain a warlike right to build and control a canal as against our long-settled policy of neutralization.

The diplomatic correspondence shows no separate right to fortify the canal was sought or desired on the part of the United States, and the Hay-Pauncefote, 1901, treaty was in the main, as to neutralization, a mere matter of reaffirming the earlier one. That it was by President Roosevelt and Secretary Hay regarded, as to neutralization, the same as the former one, clearly appears, and the proceedings in the Senate over its ratification likewise conclusively show that, as to neutralization, blockade, nonfortification, prohibition of all acts of war on the canal, right of vessels of commerce and of war in peace or war to navigate freely the canal, and the regulations as to belligerents, the Senate regarded the two treaties as substantially alike.

President Roosevelt, December 4, 1901, in his letter of transmittal of the treaty to the Senate asking for its ratification, stated among other things that the treaty was made—

To facilitate the construction of a ship canal to connect the Atlantic and Pacific Oceans and to remove any objection which may arise out of the convention of April 19, 1850, commonly called the Clayton-Bulwer treaty, to the construction of such canal * * * without impairing the general principle of neutralization established in Article VIII of that convention.

He then declared the fact to be that this treaty was entered upon and concluded with a view to preserve the—

General principle of neutralization embodied as the settled policy of the United States Government in the Clayton-Bulwer treaty more than 50 years before.

A small number of Senators still adhering to the view that the United States should have some exclusive right to exercise a physical control over any canal across the Isthmus it might build, readily pointed out that the new treaty was substantially as to neutralization, including nonblockade, nonfortification, and so forth, the same as the former one. They, therefore, sought to amend it by using much the same language used in amending the one of February 5, 1900. Senator BACON moved to strike out of the preamble the words:

Without impairing the general principle of neutralization established in Article VIII of that (Clayton-Bulwer) convention.

He also moved to strike out all of Articles III and IV, this to take out all of the neutralization contained in the treaty.

Senator CULBERSON moved to amend by inserting at the end of section 5, Article III, the exact language used in amending the February 5, 1900, treaty. I again read it:

It is agreed, however, that none of the immediately foregoing conditions and stipulations in sections Nos. 1, 2, 3, 4, and 5 of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of public order.

Senator McLAURIN moved to amend by striking out of Article III the following words:

Substantially as embodied in the convention of Constantinople, signed the 28th of October, 1888, for the free navigation of the canal.

Mr. BACON's amendments, on a yea-and-nay vote, were defeated—yeas 18, nays 60.

Mr. CULBERSON's amendment, proposing to add the principal amendment to the former treaty, was rejected by a yea-and-nay vote—15 yeas, 62 nays.

Mr. McLAURIN's amendment met the like fate—yeas 18, nays 60.

The treaty was then ratified, December 16, 1901.

President Roosevelt formally ratified this treaty December 2, 1901, and Great Britain January 20, 1902, and the ratifications were exchanged at Washington February 21, 1902, and President Roosevelt, February 22, 1902, proclaimed it as a binding treaty "to the end," as expressed in his proclamation—

That the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Other amendments offered in the Senate to the earlier Hay-Pauncefote treaty and the votes thereon will be referred to later, which show it was opposed to reserving the right to fortify the canal.

SUEZ MARITIME CANAL TREATY.

The Suez Canal treaty, dated October 29, 1888, important as it is, can only be further referred to here briefly, for want of time.

The Suez Canal is 88 miles in length, extending from Port Said, on the Mediterranean, to Suez, on the Red Sea. After its completion the treaty was made, and under it the canal has ever since been neutralized; that is, never blockaded or fortified, open and free at all times, in peace or war, for ships of all flags, and it is guaranteed to so continue by the signatory powers thereto, namely: Great Britain, France, Spain, Germany, Austria-Hungary, Russia, Italy, the Netherlands, and Turkey.

It is an international treaty of like tenor and character and in terms similar to the Hay-Pauncefote treaty that I advocate for the Panama Canal, by which its neutrality in perpetuity shall be guaranteed by all the great powers assenting thereto.

In a former speech here, May 17, 1910, I showed the practical working of this Suez Canal treaty by reading the correspondence, June, 1898, between Washington and London, by which it appeared that during our war with Spain our Navy had the free right to navigate the Suez Canal under the guarantee just stated, and Spain, a party to the treaty, with whom we were then at war, made no protest.

The title or syllabus of the Suez Canal treaty reads:

Guarantee of the free use of said canal by all the powers, and providing that it shall not be fortified or blockaded, and that it shall be open in time of war as in time of peace.

I quote from three articles of this treaty pertinent parts relating to neutralization:

ARTICLE I. The Suez Maritime Canal shall always be free and open, in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag.

Consequently the high contracting parties agree not in any way to interfere with the free use of the canal in time of war as in time of peace.

The canal shall never be subjected to the exercise of the right of blockade.

ART. IV. The maritime canal remaining open in time of war as a free passage, even to the ships of war of belligerents, according to the terms of Article I of the present treaty, the high contracting parties agree that no right of war, no act of hostility, nor any act having for its object to obstruct the free navigation of the canal, shall be committed in the canal and its ports of access, as well as within a radius of 3 marine miles from those ports, even though the Ottoman Empire should be one of the belligerent powers.

ART. VII. The powers shall not keep any vessel of war in the waters of the canal (including Lake Timsah and the Bitter Lakes).

Nevertheless they may station vessels of war in the ports of access of Port Said and Suez, the number of which shall not exceed two for each power.

This right shall not be exercised by belligerents.

The guarantors of neutralization are, by Article VII, permitted to station, at all times, not exceeding two war vessels for each power, at the port ends of the Suez Canal to maintain neutralization.

(Full copies of the Clayton-Bulwer, Hay-Pauncefote, and Suez Canal treaties are in the CONGRESSIONAL RECORD of June 24, 1910.)

In the body of the Suez Canal treaty, as in the Hay-Pauncefote treaty, there is no express provision against fortifying the Suez Canal but in its title or syllabus, just quoted, it is defined to be a treaty providing that "it shall not be fortified." Neutralization and fortification do not go together.

A construction against fortifications has always obtained as to the Suez Canal, the Black Sea, the neutralized portion of the Danube, and so forth, and, of course, the same construction will continue to be given to the Suez Canal treaty, now a part, by adoption, of the Hay-Pauncefote treaty. It must be conclusively presumed that such construction was well known to all parties concerned when the latter treaty was passed and ratified.

REPUBLIC OF PANAMA TREATY, NOVEMBER 18, 1903.

Conclusive and significant even above other treaties in settling the neutralization of the Panama Canal is the treaty with the Republic of Panama, dated November 18, 1903, proclaimed ratified February 26, 1904. It is the latest treaty on the subject. By it the Canal Zone, with a limited sovereignty over it, was acquired by the United States on the consideration that the Panama Canal when constructed should be neutralized in perpetuity, as stipulated in the Hay-Pauncefote treaty, 1901, which, as we have seen, not only prescribes specifically for neutralization, but adopts the neutrality provisions of both the Clayton-Bulwer and of the Suez Canal treaties.

This treaty was negotiated at the instance of President Roosevelt by John Hay, Secretary of State, and by Bunau-Varilla, envoy and minister of the Republic of Panama, as plenipotentiaries, both of whom were familiar with the then existing Hay-Pauncefote and other treaties on the question of neutralization; Hay had negotiated one at least of them.

It was to enable the President to acquire territory on the Isthmus of Panama, as authorized by (Spooner) act of Congress, approved by him June 28, 1902, over which to build a ship canal, which act, as we shall see, did not authorize the fortifying of the canal proposed to be built, but practically forbade its being fortified.

Article XVIII of the Panama treaty reads:

The canal, when constructed, and the entrance thereto, shall be neutral in perpetuity and shall be opened upon the terms provided for by section 1 of Article III of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

The language of this article does not admit of dispute as to its proper construction, and enough has already been said as to the effect of the Hay-Pauncefote and other treaties, embodied by adoption in it, as to neutralization. The plenipotentiaries while framing the Panama treaty doubtless considered when, if ever, under existing treaties, the United States might "employ armed forces for the safety or protection of the canal," or to fortify it, as the treaty went to the limit, or beyond it, in Article XXIII, which reads:

If it should become necessary at any time to employ armed forces for the safety or protection of the canal or of the ships that make use of the same or the railways and auxiliary works, the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces or to establish fortifications for these purposes.

How carefully this is guarded to avoid conflict with other treaties and with Article XVIII of the same treaty.

All the right this article is supposed to give to employ armed forces was already possessed by both the United States and Great Britain, the right to fortify being only an incident when "it should become necessary." The guaranty of neutralization requires the use of all force necessary to maintain it. Ships of war, as in the case of the Suez Canal, may not blockade the canal, but they may be used to keep it open and to drive off or destroy irresponsible, piratical, or other hostile force, this, in peace or war. Neutralization relates to a condition, and those who violate it must suffer the consequences. Its guaranty requires the necessary employment of power to enforce it. The most that can be claimed for Article XXIII is that it authorizes the United States, in a particular emergency, to separately protect the canal, whereas under the treaty with Great Britain both countries already possess such authority and are in duty bound by their guaranty of neutralization to exercise it. So of the guarantors in other treaties. No treaty limits these countries as to the power, or the manner of exercising it, in enforcing neutralization.

Any attempt to give to the United States the separate exclusive right, save "as may be necessary to protect it against lawlessness and disorder," to employ armed forces and to fortify the canal can fairly be regarded as contrary to the neutrality treaties with New Granada and Great Britain, and radically in conflict with Article XVIII of the treaty with the Republic of Panama, and also of the contract right with Colombia to build the canal; but, however this may be, an explicit treaty stipulation is essential to such right. Why stipulate, if the right to fortify already existed, for fortifications in a treaty with the Republic of Panama?

The right to use armed forces or to temporarily fortify the canal, if it exists at all under the Panama treaty, is restricted to the particular purpose named and can be exercised only while the necessity continues. To erect or maintain fortifications or to use armed forces for the purpose stated and while the necessity continues does not modify or supersede Article XVIII.

This treaty was, with all its neutralization, recommended by President Roosevelt to the Senate for ratification.

The Panama treaty, I repeat, provides—Article XVIII—that the "canal, when constructed, and the entrances thereto, shall be neutral in perpetuity," and, in addition, stipulates that the canal "shall be opened upon the terms provided for by section 1 of Article III of and in conformity with all the stipulations of" the Hay-Pauncefote treaty of November 18, 1901.

Nothing in the Panama treaty authorizes the United States to do more than the treaty with Great Britain authorizes, namely:

To maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

It ought not to be seriously contended that the treaties with Colombia and Great Britain, each of which guarantees the neutralization of the canal, are abrogated or the United States is absolved from obeying them, even if the Republic of Panama, immediately after acquiring independence, consented thereto.

The Republic of Panama, being a part of New Granada—Colombia—when the existing treaty with it was made—1846—and when Colombia made its contract—1878—guaranty of neutralization is bound by both. Its territory is all included in the guaranty of neutrality therein made of the Isthmus of Panama and the canal.

Treaties are to have, as I have shown, a reasonable and liberal construction, and are also to be liberally executed, to accomplish the purposes desired to be secured.

President Roosevelt, in a lengthy special message to Congress, January 4, 1904, after this Panama treaty was made, on his action to acquire property of the Panama Canal Co. and the right to build a "canal across the Isthmus of Panama," asserts, rightfully, that the obligations and guaranties of Article XXXV of the Colombia (1846) treaty are not only in full force against Colombia, but also against the new Republic of Panama, a part of Colombia when that treaty was made. He could have said as much as to the guaranty of neutrality by Colombia to the canal company.

He uses this language:

It is by no means true that a state in declaring its independence rids itself of all the treaty obligations entered into by the parent government.

He quotes John Quincy Adams in support of this view.

NOT AUTHORIZED BY LAW TO FORTIFY.

The act of Congress of June 28, 1902, to provide for the construction of a canal to connect the waters of the Atlantic and Pacific Oceans, is subsequent in date to all treaties relating to it

save the treaty with Panama, and was made to conform to them as to neutralization and otherwise.

Section 2 of the act gave the President authority to acquire from the Republic of Colombia—not Panama—a strip of land over which to construct and maintain a canal. It concludes by specifying the President's power to control the territory to be acquired and the canal to be constructed therein, giving him the right in the exercise of—

jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to enforce such rules and regulations.

The President's power over the canal, it will be seen, is carefully limited by this law in harmony with existing treaties and obligations, and he is given the right only to make such "police and sanitary rules and regulations as shall be necessary to enforce such rules and regulations." There is no suggestion in the act of a right to fortify the canal for its protection or defense as there would have been but for neutralization. The Congress which passed, and the President—Roosevelt—who approved it, understood the Panama Canal, when built, was required to be neutralized by existing treaties and contract obligations, and in accordance with a long settled policy. They also, presumably, understood that it was wholly unwise, unnecessary, and a most dangerous expedient to resort to, where its integrity had already been amply guaranteed by treaty stipulations. They had the example of the Suez Canal treaty in mind, with the certainty that a like one, signed by principal powers of the earth, could easily be negotiated to still further guarantee the neutrality of the Panama Canal.

In considering the safety of the Panama Canal it must be remembered that there is no limitation on the right of the United States to protect it by force, or otherwise, against irresponsible, lawless, and marauding persons or bands, and that the United States and Great Britain, also Colombia, possess now, and the signatory powers to any further international treaty of neutralization would have, at all times, in peace or war, a right, jointly and separately, to do all that may be necessary to make good their guaranties of neutralization and whatever that includes, and this against any nation or force in the world. Such international treaty necessarily imports the unlimited right, duty, readiness, and willingness of the powers to coerce each and all nations or parties who may fail in any manner to respect their guaranty of neutralization. This is what such a treaty is for, and inviolate neutralization is not otherwise maintainable. It is much better and safer to enjoy and exercise, jointly with others, the right to safeguard and protect, by force when necessary, the Panama Canal than for the United States alone to do it. Such guarantors are powerful enough to compel indemnity for any damage that may be done.

The claim that fortifications are necessary to prevent a single ship from wantonly damaging the canal while passing through it is the least plausible objection yet made to not fortifying it. In the first place, the history of the world does not furnish an instance of a ship of any kind or of any nation ever having, in peace or war, committed an act of that kind. No vessel would undertake to injure the canal after entering it. It is hardly a sane objection to omitting to fortify the Panama Canal or a sound reason for violating the obligations of solemn treaties to suggest that an unprecedented or almost impossible thing might come to pass.

Is it proposed that each ship of commerce or of war, as it passes through the canal, is to be constantly under the range of the fire of a cannon, and searchlight by night, as a means of preventing it from despoiling the canal? To do this, fortifications would have to extend almost continuously along the line of the canal. It is only in time of war in which the United States may be a party that damage from ships of a belligerent may be apprehended, and an international treaty of neutralization is the only absolutely certain way to prevent that occurring. Such a treaty operates against nations, not alone against irresponsible parties or lawless or pirate ships. A roving, marauding ship or a ship in possession of mutineers would not invade the canal to do michief, and there is ample authority for any ship of any nation to attack and destroy it anywhere, even on the high seas. All such would be regarded as pirate ships. No treaty is violated in sinking them. Only ships flying the flag of some nation have rights on the high seas or elsewhere.

It is also said that we have the right to fortify the canal to prevent its destruction or injury by an "irresponsible force or nation." Fortifications are not needed to overthrow an irresponsible force, and there is no irresponsible nation. Such force would not go into the canal, with or without fortifications thereon. It would operate from the outside.

A single battleship would be ample to destroy any irresponsible, piratical vessel or vessel manned by a mutinous crew before it could enter the canal should it venture that way; and batteries on shore would hardly discover in time or be efficacious to prevent mischief being done if secret mischief was intended. Battleships for purposes other than blockade are permissible in the ports as in the case of the Suez Canal, as we have shown.

To claim that the United States may fortify and still neutralize the canal "if that is wise and right" is suggesting something new, namely, that a nation can neutralize its own property or territory—an impossibility. Neutralization requires two or more nations to assume to guarantee a State, Territory, or property free from interference or injury by other nations and with a common right to all to use and enjoy the same on equal terms. A nation can not alone enforce the neutralization of its own territory, or any part of it.

In some sense a nation that agrees to the neutralization of any of its own territory or property surrenders some of its sovereignty over it on conditions and reciprocal considerations. One nation may declare its governmental neutrality toward another, which relates to its outward action, but it can not alone establish the neutralization of its own territory, as that creates an extraordinary condition within itself which must have the pledge of at least another nation to maintain it.

By the neutralization of the Panama Canal the United States is guaranteed its protection, in perpetuity, against any national interference "in time of war as in time of peace," coupled with an exclusive right to provide for the "regulation and management of the canal;" that is, to collect tolls thereon "on terms of entire equality" to all nations, restricted only by the treaty provision that "such conditions and charges shall be just and equitable." No exigencies of war could take the canal from the United States.

There can be no such thing as neutralization of territory or property without stipulations granting and reserving rights in and over it, and how can there be such stipulations without parties to make them? Did any nation ever declare, by proclamation or otherwise, its own territory neutralized? Rights and privileges proposed to be extended to other nations and their citizens or subjects by one nation, without a treaty containing reciprocal considerations, could be, without notice, withdrawn at will. Neutralization does not mean this. It is to operate in perpetuity.

If it should be seriously regarded important to have the right vested in the United States to close the canal to the vessels of commerce and of war of a nation with which it was at war, perhaps such right, on certain terms, could be secured by a new international treaty. The advantage of having that right is not, however, apparent, and, of course, its exercise now is impossible, as all the treaties expressly prohibit blockade.

There are other things than blockade or fortifications which might properly be the subject of negotiation in a new treaty.

RULES OF WAR PROTECT NEUTRALIZATION.

Article I of the Rules of War adopted—though not wholly new—at the peace conference at The Hague, October 18, 1907, reads:

The bombardment by naval forces of undefended ports, towns, villages, dwellings, or buildings is forbidden.

And Article IV prohibits their bombardment for refusal to pay money contributions.

The same conference, on the same date, adopted regulations to govern the rights and duties of neutrality in naval war.

Article I thereof reads—

belligerents * * * to abstain in neutral territory or neutral waters from any act which would, if knowingly permitted by any power, constitute a violation of neutrality.

And Article II declares that—

Any act of hostility * * * committed by belligerent warships in the territorial waters of any neutral power constitutes a violation of neutrality and is strictly forbidden.

These rules and regulations were signed at The Hague, on the date given, by the plenipotentiaries of the United States of America, Germany, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Brazil, Bulgaria, Chile, China, Colombia, Cuba, Denmark, the Dominican Republic, Ecuador, France, Great Britain, Greece, Guatemala, Haiti, Italy, Japan, Luxemburg, Mexico, Montenegro, Norway, Panama, Paraguay, the Netherlands, Peru, Persia, Portugal, Roumania, Russia, Salvador, Servia, Siam, Sweden, Switzerland, Turkey, Uruguay, and Venezuela—42 in all.

The Senate of the United States, March 10, 1908, as recommended by the President, ratified these rules of war as binding, and, April 17, 1908, on like recommendation, ratified in chief part the "Regulations relating to the rights and duties of the powers in naval war," including the articles quoted.

President Roosevelt, pursuant to the advice and consent of the Senate, on February 23, 1909, declared the adherence of

the United States to said rules of war, and President Taft, on February 28, 1910, proclaimed said rules and said "Regulations as to the rights and duties of neutral powers in naval war," including said quoted articles—

to be of binding force to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

And the regulations respecting the laws and customs of war, adopted at the same conference, subscribed to by the same powers, and similarly ratified by the United States Senate, also proclaimed on February 28, 1910, by President Taft, prohibits the destruction or seizure of property of the enemy save when "imperatively demanded by the necessities of war."

To say the least, while observed, these rules and regulations render unnecessary the fortification or blockade of the now neutralized Panama Canal. The powers, 42 in number, are not at all likely to violate International Rules and Regulations of War. The sentiment of the people of all the civilized nations is for peace, and they, therefore, will act in good faith toward each other.

SOME OBJECTIONS ANSWERED.

First. It is reported that some English official has said that Great Britain would not object to fortifications. This report has not been verified, and his authority to make the statement does not appear. Are solemn treaties thus set aside? And what would become of the treaties with Colombia and Panama? It seems now there are English officials and Englishmen who say Great Britain will object to fortifications.

Second. It is said that Mr. Blaine, when Secretary of State—November 19, 1881—under President Arthur, in a communication, directed Mr. Lowell, American minister to England, to advise Lord Granville, the prime minister, that the United States regarded the Clayton-Bulwer treaty obsolete, and that in case of war, to which the United States was a party, it would require any isthmian canal to be "impartially closed against the war vessels of all belligerents" and only open for defensive use by the country in which it was constructed and the United States.

Lord Granville promptly denied the soundness of Mr. Blaine's position and pointed out his errors relating thereto, and insisted that the treaty was in full force. Here the incident ended. Mr. Blaine's communication was not in full harmony with his prior views as to neutralization, and he had no authority to declare the treaty abrogated. However this may be, the whole subject came up in 1900, and President McKinley, and later—in 1901—President Roosevelt and Congress, recognized the Clayton-Bulwer treaty in all respects in full force. The two Hay-Pauncefote treaties and the treaty of 1903 with the Republic of Panama each not only recognized its binding character, but in express terms, as I have pointed out, readopted all the neutralization contained in it; also in the Suez Canal treaty.

Third. My attention has been called to certain statements appearing in the newspapers expressed by ex-Senator Foraker, relating to the Hay-Pauncefote and the Panama treaties, undertaking to give his recollection of the understanding of Senators when their ratifications were under consideration as to the right of the United States to fortify the Panama Canal.

He is reported as saying, in effect, that the purpose of a majority of the Senators was to preserve to it that right; that the Hay-Pauncefote (1901) treaty was ratified "without amendment" because it gave the right to do whatever was necessary to establish a military force on the canal and "for it to intrench itself," "or fortify itself against attack." He further, referring to the Panama treaty, uses the words:

The United States shall have the right to establish fortifications.

These treaties must speak for themselves; but there is some mistake about the statements, as Senator Foraker, and a large majority of the Senators, fiercely opposed, by their votes and otherwise, reserving to the United States any right to fortify the canal when each of the Hay-Pauncefote treaties were under consideration in the Senate.

Fortunately, the Senate raised the ban of secrecy as to its proceedings during, and on, the ratifications of both the Hay-Pauncefote treaties and published them, including both these treaties and the Clayton-Bulwer treaty. (Senate Doc. No. 85, 1st sess., 57th Cong.) This enables us to know just how the Senators regarded these treaties as to neutralization and fortification.

The proceedings do not warrant the statement that the purpose of a majority of the Senate was to preserve the right to fortify the canal, but they clearly show the exact contrary.

The committee amendment to the 1900 treaty, before quoted, to give the right to the United States "if found necessary to take measures by its own forces for the defense of the United States and the maintenance of public order," was agreed to December 15, 1900, in the Senate with the understanding that it would not give the right to fortify the canal. This is shown conclusively by its votes in executive session. This amendment was carefully drawn so as not to modify the clause (sec. 7, Art. II) which forbids fortifications.

Later, December 20, 1900, a vote was taken on an amendment proposed by Mr. Elkins to add to the amendment just referred to the following:

But nothing contained in this treaty shall be construed to prevent the United States from acquiring at any time sufficient territory, and sovereignty over the same, upon which to build, manage, operate, defend, protect, and control said canal, or for any other purpose, as the United States may deem best in its own interests.

This was to clearly give to the United States the right, if adopted, "to build, manage, operate, defend, protect, and control said canal, or for any other purpose, as the United States may deem best in its own interests."

But this did not express the views of the Senate as to what was meant by neutralization, and it voted Mr. Elkins's amendment down—yeas 25, nays 45—Mr. Foraker voting nay.

Later, on same day, Mr. Teller's motion to strike out paragraphs, or sections, 3 and 4 and a clause in section 5 of Article II of the treaty, relating to the rights of belligerents, and the clause in section 7, same article, prohibiting, in express words, fortifications, was likewise voted down.

Mr. Butler, still later on the same day, moved to strike out the same clause of section 7, Article II, which reads:

No fortifications shall be erected commanding the canal or the waters adjacent.

This motion was voted down—yeas 26, nays 44—Mr. Foraker voting nay.

Later, on same day, a vote was taken on an amendment offered by Mr. Mason to insert in Article II, after section 7, this:

Provided, Nothing herein contained shall prevent the United States from protecting said canal in any way it may deem necessary, if the said United States shall construct said canal at its own expense.

This proposed amendment was to give the United States all power to protect the canal as it pleased if it constructed it at its own expense. This was also voted down—yeas 25, nays 44—Mr. Foraker voting in the negative.

Later still, on the same day, Mr. Teller's motion to strike out of Article II the words "in time of war as in time of peace" and the words "and of war" was voted down without a yea-and-nay vote.

This motion, if carried, would have largely emasculated the treaty as to neutralization.

Yet later, on the same day, Mr. TILLMAN moved to strike out the amendment agreed to, as stated, and to insert in lieu thereof this:

It is agreed, however, that none of the foregoing conditions and stipulations of this article shall apply to measures which the United States may find it necessary to take for securing by its own forces the defense of the United States and the maintenance of order.

The amendment agreed to did not relate to the whole of Article II, but only to its first five sections, leaving section 6, relating to the neutralization of the plant, establishment, and so forth, and section 7, forbidding fortifications, in full force. Mr. TILLMAN'S amendment was to cover all the sections. In other respects it did not differ from the one he moved to strike out. It was rejected—yeas 27, nays 43, Mr. Foraker again voting "No." This treaty was then—December 20, 1900—ratified—55 yeas, 18 nays.

Other votes of like effect demonstrated that the Senate did not intend in any way, even by the amendment adopted by it, to reserve to the United States, even as a police power, any right to fortify the canal.

This amendment—without change, before quoted—was voted down when proposed by Mr. CULBERSON—December 16, 1901—to the later Hay-Pauncefote treaty when it was under consideration in the Senate—15 yeas to 65 nays—Mr. Foraker voting in the negative. This expression of the Senate against insisting on even the right of the United States to use its own forces for its defense "and the maintenance of public order" is conclusive of its purpose not to desire authority to fortify the canal for any purpose.

Again, pending the ratification of the 1901 Hay-Pauncefote treaty, Mr. McLaurin moved to amend it by striking out of Article III the words:

Substantially as embodied in the convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal.

This was also to take out of the treaty the neutralization and nonfortification provisions of the Suez Canal treaty, made applicable, in explicit terms, to the Panama Canal. The motion was rejected and the treaty was then ratified—yeas 72, nays 6. Only Senators BACON, Blackburn, CULBERSON, Mallory, Teller, and TILLMAN voted in the negative.

The Senate accepted, as did President Roosevelt and Secretary Hay, the clause in section 2, Article III, of the later treaty, giving the right to maintain military police along the canal when necessary "to protect it against lawlessness and disorder," as granting all the right requisite under neutralization.

As blockade was expressly forbidden and rights of belligerents in time of war was provided for, and so forth, no express inhibition against fortification was deemed necessary.

It should be conceded that there can be no fortifications without blockade; that no battle can be fought in the canal with battleships engaged, and that if a battle there were possible the canal would certainly be put out of commission.

I apprehend, however, there has never been, under any treaty, and can not now be, any objection to a "military force" of the United States, if on the Panama Canal, "intrenching itself" or "fortifying itself against attack." That would be the exercise of a natural right of self-defense nowhere sought to be taken away. Both Great Britain and the United States possess such, and a much greater right when necessary, to enable them to maintain neutralization. How are the plant, buildings, and so forth, to "enjoy complete immunity from attack" if force may not be used to repel it? Nor does the Panama treaty use the expression "the United States shall have the right to establish fortifications." The twenty-third article thereof does say:

> If it should become necessary * * * to employ armed forces for the safety or protection of the canal, or the ships that make use of the same, or the railways or auxiliary works, the United States shall have the right * * * to use its police and its land and naval forces or to establish fortifications for these purposes.

Nothing is therein said about establishing fortifications on the canal. It must be read in connection with Article XVIII, already quoted, of the same treaty, which requires the complete neutralization of the canal, and as provided in the Hay-Pauncefote treaty, which adopts all the neutralization provided for in the Clayton-Bulwer and Suez Canal treaties, including nonfortification.

The right of the guarantors of neutralization to use their land and naval forces in time of war with a nation that would not respect the neutralization "for the safety and protection of the canal," and, if the necessity should come, to "establish fortifications for these purposes" only, has never been denied. It is the very right, jointly and severally possessed by Great Britain and the United States, to enable them to make good their guaranty of neutralization, a right possessed by the United States under the New Granada treaty and by Colombia under her contract guaranty of neutralization.

Without the right and duty of the guaranteeing powers to protect the canal when attacked, a declaration of neutralization would, of course, be a nullity.

But such right does not, save when the necessity exists, authorize the United States or Great Britain to fortify or blockade the canal generally, or for any other purpose than to preserve its neutralization. Article XXIII was not intended to supersede or modify Article XVIII of the same treaty, and the provisions of the New Granada, Hay-Pauncefote, Clayton-Bulwer, and the Suez Canal treaties as to neutralization; the two last named, as we have seen, having, as to neutralization, been adopted as parts of the Hay-Pauncefote treaty. Panama could not, if it desired, set aside the British and New Granada treaties. The Colombia contract for the construction of the canal, as we have seen, guarantees on her part neutralization, and it provides:

> In case of war between nations the transit of the canal shall not be interrupted.

The framers of the Panama treaty would not have inserted the provisions of Article XVIII if they had not intended them to be fully operative. Clearly what is authorized by Article XXIII, as its language shows, is something not in conflict with Article XVIII.

The Spooner Act of Congress of 1902 does not pretend to authorize the canal, when constructed, to be fortified or blockaded, but, in harmony with the neutralization treaties, it only provides as to the whole zone "and the ports at the ends thereof," "that the United States may make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon."

Of course, the act allows the canal to be protected by using any force, if attacked, to maintain neutralization. Neutralization may be fought for as well as any other thing, and the more powers guarantee it, the less danger there will be of its being violated.

Other equally groundless suggestions have been made, hardly worth mentioning.

The gentleman from Alabama [Mr. HOBSON] states that Great Britain excluded from the Suez Canal treaty whatever guaranteed that the Suez Canal should not be fortified, and he asserts that Great Britain has fortified it. Of course he never saw the treaty. Its first sentence defines its purpose, as to the canal, to be "that it shall not be fortified or blockaded." It has never been fortified.

He also claims that it is the right or duty of the United States to violate its treaty obligations because other countries may violate them; that Manchuria and Korea furnish examples of neutralization; that Gibraltar, Malta, and other places are examples of fortifications to secure national rights similar to the Panama Canal. Neither Manchuria nor Korea was ever neutralized, and neither Gibraltar nor Malta was fortified to protect English property or waters, but for army and naval stations in general national interests.

If, however, two nations did go to war over a disputed right to a protectorate or some sort of control or sovereignty over territory, as did Japan and Rusia, it would not warrant the United States in violating an international treaty of neutralization.

PEACE.

To neutralize the Panama Canal will be in the interest of peace—tend toward universal peace, so ardently sought to be brought about by the good people of all the civilized nations of the earth—Christian, pagan, and all countries alike. Much has been done to prevent and to mitigate war. Neutralization on the twin oceanic canals of the world will tend strongly to bring nations together commercially and to avert war, and, should war ever come, to modify its dire consequences. The great oceans by universal assent are free and open to ships of all kinds of all nations, and why should not the gates of communication connecting them be likewise free and open to such ships, they being required to preserve the peace in passing through the canal and to pay reasonable tolls.

International arbitration (Hague) has been well established, and has already accomplished much to avert war. National and international conferences have been and are still being held, well supported by emperors, kings, and the rulers of republics and by parliaments alike; an Interparliamentary Union for Arbitration and Peace regularly holds meetings, also well attended by representatives of most, if not all, the parliaments of the world; and there recently—December 15, 1910—met in Washington an international conference, under the auspices of the American Society for Judicial Settlement of International Disputes, at which much progress was made, and one of our distinguished philanthropic citizens, Mr. Carnegie, donated to trustees $10,000,000, to be devoted to accomplishing the society's great purpose.

At the recent meeting of the Interparliamentary Union or Conference—Brussels, Belgium, August 30, 1910—which I had the honor to attend, where was assembled about 800 representatives of the parliaments or congresses of 46 of the principal powers, there was not a dissenting vote against a declaration that all interoceanic canals should be neutralized by international treaty.

Conditions are now good to take an advance step toward universal peace; at least, let us not mark time or march backward. It is wiser, often braver, to wave the olive branch than the sword. If, however, the sword must be drawn, let it be effective to dedicate and maintain, at least, a great highway of commerce to peace.

Jefferson, as Secretary of State, more than a hundred years ago—1793—with prescient wisdom, advocated for his country all movements to secure peace, saying:

> We love peace; we know its blessings from experience. We abhor the follies of war, and are not untried in its distresses and calamities.

Grant, the greatest and gentlest soldier of the ages, exalted his fame when he, as President, declared to his country, "Let us have peace."

Wars have riven the world; nations and dynasties have risen and been swept away by them, and the death, suffering, and sorrow that has resulted is past computation. So of the treasure expended.

Some of us here have tasted war, know something of its victories and defeats and much of its bloody horrors, devastation, and incident suffering and distress. I have given above five years of my life to active field service in times of war, and I have participated in a single battle where more blood was shed than in the Seven Years' War of the Revolution.

On good authority—Mr. TAWNEY—it appears that now our annual expenditures "in preparing for war and on account of past wars" is 72 per cent of our annual total revenues, leaving only 28 per cent available for other purposes. This in time of "armed peace." The best sentiment of the world is on an ascending scale toward peace. Let us resolve doubts, if there are any, in favor of enhancing that policy of the world most likely

to bring happiness to the human race. If present treaties are not ample for the future safety of our Republic and the 100,000,000 of people who live under our flag, let us at least attempt to negotiate such a treaty as will be satisfactory before throwing down the gauntlet of war and abandoning the long-cherished policy of our great rulers and statesmen.

The Panama Canal is soon to be an accomplished fact. It will then be the supreme consummation of an enterprise contemplated for four centuries, almost since Columbus discovered this hemisphere in 1492. For above fourscore years a canal has been seriously planned or worked at, many of the commercial nations of the world having taken deep interest therein. Armies of men have been sacrificed in prosecuting the work on account of the deadly diseases prevalent on the Isthmus of Panama. Science and modern discoveries in medicine and sanitation have for a time conquered the causes of such diseases in man, almost worked miracles in imitation of the Savior of the world on the plains of Judea 2,000 years ago.

The canal is to last through the ages; it will change the geography of the Western Continent, and, neutralized, will point the magnetic needle of the mariner's compass of all the great modern ships of commerce on all seas so as to turn their prows to pass from ocean to ocean through the great locks, lakes, and mountain-cut bed of the Panama Canal, an accomplished highway, wrought by the zeal, genius, skill, courage, and perseverance of man, and a monument to great engineers and to the liberality of the American Republic. Let our flag, with its diadem of 48 stars, be unfurled and forever float in a triumph of "peace" over this great world's work, and as an emblem of "good will toward men" of all races and tongues, and where the sound of war and the preparations for war shall not be heard. This is my prayer. There is more glory and patriotism in victories for peace than in triumphs of war.

While not wholly optimistic that universal, perpetual peace will soon reign on earth, yet should such glory come, let our great American Republic be then proclaimed as having hastened, in this day and generation, the time when—

> The war drums shall throb no longer, and the battle flags are furled,
> In the parliament of man, the federation of the world.

[Loud applause.]

REMARKS OF HON. J. WARREN KEIFER, OF SPRINGFIELD, OHIO, BEFORE THE INTERPARLIAMENTARY UNION FOR ARBITRATION AND PEACE AT BRUSSELS, BELGIUM, AUGUST 30, 1910.

Mr. President, I humbly express my great pleasure at being present with my colleagues of the group representing the Congress of the United States of America and on being permitted to address this meeting of the Interparliamentary Union for Arbitration and Peace throughout the world.

What has already been accomplished by this union in mitigation of war where it has existed; what it has secured through the establishment of arbitration and through other like tribunals to settle international disputes and claims of citizens of different countries, and what it has so happily and efficiently done to spread a belief in the principles and policy of universal peace and a belief in its consequent blessings to the human race, already proclaim this union the most important organization instituted since the dawn of civilization.

Around it now centers the fondest hopes of mankind, and it deserves and receives the prayers of the righteous for its ultimate complete success. When such success is consummated succeeding ages will never cease to bless and exalt this union and the early devoted members thereof, and to it and to them will be awarded, in consequence of resulting effects, a victory crowned with a resplendent glory that will pale into insignificance the achievements of the combined victories won on all the battlefields of the world. Its captains of peace will be honored by imperishable statues in a world's Hall of Fame to which people of every land will make pilgrimage to worship. To lead in securing the victories of peace at even this period in the growth of civilization a more and a higher kind of personal bravery is required than to face a valiant foe on battlefields.

I should, being so lately an active representative in this union, apologize for occupying precious time here. But, notwithstanding I have devoted above five years of my life to an army field service in times of war and have been face to face with all its attendant bloody and ghastly occurrences and devastating consequences, I am no recent convert to the policy of universal peace. My experience in actual war, though glossed over by the applause of victory, intensifies my abhorrence of its barbarities and emphasizes the glories, beauties, and blessings of peace in contrast therewith.

I also make my acknowledgement here to my most worthy colleagues, and especially to my distinguished superior, the Hon. RICHARD BARTHOLDT, the president of the American group, a German by birth, but an honored citizen of the United States, who long has, in season and out of season, in several tongues, privately, in popular assemblies and in the Halls of Congress, proclaimed the principles of arbitration and universal peace held by this union.

But I turn to my special subject, the Panama Canal and its neutralization, using the latter word in the sense that all acts of hostility shall be prohibited thereon, and in the bays or ports of entrance thereto, but not in the sense that it shall ever be closed to any class of ships.

Speaking, Mr. President, for myself and for my colleagues of the American group of this union, if not authoritatively for the executive branch of the United States of America or its Congress, I humbly submit that the canal across the Isthmus of Panama, soon to be completed—1915—by my country, whereby the waters of the Atlantic and Pacific Oceans will practically be united north of the equator, should, by international treaty or convention, be declared and guaranteed to be forever open and free "in time of war as in time of peace" to the vessels of commerce and of war of all nations and to the citizens or subjects thereof without distinction of flag; that it shall never be fortified or blockaded by any nation, not even by ships of war of a belligerent State; that no right of war shall be exercised nor any act of hostility be committed within it or the entrances thereto, and that its use shall likewise be enjoyed by all on equal terms, to be fixed by the United States.

The Panama Canal, when finished, will afford a speedy passage for ships of all classes between the Atlantic and Pacific Oceans, its total length being almost exactly 50 miles, measured between deep water—50 feet—in the bays of the two oceans. The water widths of its locks will be 110 feet and its depth of water, minimum, 45 feet; and its other dimensions will be ample to float the largest ships of commerce or of war.

The Suez Maritime Canal, opened for navigation, 1869, is the only strictly interoceanic canal thus far constructed. It is 88 miles in length, measured between Port Said on the Mediterranean and Suez on the Red Sea. It forms a connecting link between the Mediterranean and the Red Seas, and, with them, couples together the Atlantic and the Indian Oceans for navigation. This canal, since October 29, 1888, as we shall see later, has been, by international convention, guaranteed to be open and free at all times for ships of all flags and never to be fortified or blockaded. The Suez and Panama Canals are destined to be twin oceanic canals.

The physical formation of the earth and climatic conditions seem to render a third one impossible. Only mere duplicates or canals practically paralleling them are possible. With these two great canals opened the distance in circumnavigating the globe north of the Equator will be shortened above 10,000 miles. They will be throbbing arteries for trade and travel. Together they will bring nations into a close communication for ordinary intercourse and for profitable commercial relations. In consequence of them enterprises coextensive with the whole world will be inaugurated, promoted, and made to secure the moral and material welfare of mankind. The more closely civilized countries are brought in contact the more interdependent they necessarily become, and the more their people can mutually contribute to the welfare and happiness of each other the more important it becomes for them to dwell in peace.

Civilized people, whether of the same nationality or not, who live in close dependence upon each other, to prosper, must live in harmony, and, in common, they must be subject to and obey the same social, business, and moral laws, for, if they do not, they will inevitably fail to multiply or enjoy happiness or contentment, and must soon relapse into barbarism. Wars and their incident direful evils, as with savage tribes, will be their common lot. And nations similarly compelled to exist interdependent upon each other, to be great and their people happy and prosperous, must likewise live in harmony.

These interoceanic canals are, therefore, to become positive instruments in uniting for the common weal peoples and countries, regardless of races or tongues, and hence peace should reign thereon.

The two canals are works of a progressive age, and their neutralization, apart from all economic considerations, would have a great moral tendency toward universal peace and would promote a higher civilization. The signatory powers to the convention might constitute a parliament of nations pledged to secure that end.

Conditions have changed. The histories of the now great world powers, however full of annals of war for conquest or to promote ambition, power, or personal fame, are no longer

precedents or examples to be followed by the now Christianized and civilized nations; the sword is no longer a possible means of proselyting and spreading a religious or other faith; and missionaries, in fulfillment of divine command, have gone "into all the world" preaching the gospel of the Prince of Peace "to every creature."

By some the wars of the centuries may be regarded as possible incidents in evolution from barbarism or from lower forms of civilizations toward the higher, and as potential in eliminating that which barred the growth of true civilization and the spread of Christianity. However this may be, a new era is now due, and enlightened mankind demands that devastating wars shall pass away forever and that the blessings of universal peace and good will to men shall prevail.

That the two interoceanic canals of the world should be, as stated, open to all ships is so obviously right that argument seems useless, and may tend only to confuse rather than to demonstrate the question.

The declared policy of my country, almost from its earliest history, as shown by diplomatic correspondence and by various conventions with Central and South American and other countries, and especially with Great Britain, has uniformly been in advocacy of a free and open canal across the Isthmus of Panama, regardless of the auspices or country under which it might be built. And the fact that my country is now soon to consummate the great work at its own expense will not cause or permit it to reverse that benign policy.

We have a successful precedent to follow. The convention, already mentioned, concluded at Constantinople October 29, 1888, the signatory powers to which are Great Britain, Germany, Austria-Hungary, Spain, France, Russia, Italy, the Netherlands, and Turkey, guaranteed the freedom of the Suez Maritime Canal to all the powers. One or two extracts from this convention must suffice here:

ARTICLE I.

The Suez Maritime Canal shall always be free and open, in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag.

Consequently the high contracting parties agree not in any way to interfere with the free use of the canal in time of war as in time of peace.

The canal shall never be subjected to the exercise of the right of blockade.

* * * * * * *

ARTICLE IV.

The maritime canal remaining open in time of war as a free passage, even to the ships of war of belligerents, according to the terms of Article I of the present treaty, the high contracting parties agree that no right of war, no act of hostility, nor any act having for its object to obstruct the free navigation of the canal, shall be committed in the canal and its ports of access, as well as within a radius of 3 marine miles from those ports, even though the Ottoman Empire should be one of the belligerent powers.

Other provisions of the convention are only important details necessary to effectually accomplish its principal purposes.

In solemn treaty—Clayton-Bulwer, April 19, 1850—between Great Britain and the United States this policy (long before promulgated) was given expression, and when the United States was ready to take up the work of building a canal it reiterated with Great Britain in a new treaty—Hay-Pauncefote, November 18, 1901—its adherence to the same policy. While the latter treaty abrogated the Clayton-Bulwer convention, it did so only for the purpose of removing any objection in it to the United States constructing a Panama Canal under its auspices and expressly reciting in the preamble of the new treaty that this was done "without impairing the 'general principle' of neutralization established in Article VIII of that convention."

The following pertinent extracts from the Hay-Pauncefote treaty, now in force, show the concurrent purpose of the two powers to firmly stand by the policy of neutralization, and especially as expressed in the Suez Maritime Canal convention just alluded to.

ARTICLE III.

The United States adopts as the basis of the neutralization of such ship canal the following rules, substantially as embodied in the convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal—that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal, except so far as may be strictly necessary, and the transit of such vessel through the canal shall be effected with the least possible delay, in accordance with the regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within three marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than 24 hours at any one time, except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within 24 hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof for the purposes of this treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as part of the canal.

Article IV of that treaty provides that no change of territorial sovereignty shall affect the general principles of neutralization or the obligations of the parties to the treaty.

Again, I repeat, that I am not now concerned with details; only with the main principle of neutralization. Provisions and conditions essential to secure to the powers the free use of the Panama Canal on terms of absolute equality, and to the United States its ownership and sovereignty over it and requisite to guarantee its absolute neutralization through all time, may well be left to the superior ability of the distinguished diplomatic representatives of the high powers who may elect to become parties to draft a convention.

In advocating neutralization advantages are not sought for my own country. It will own and maintain the Panama Canal, and it will protect it alone if other powers do not unite for its neutralization. If a surrender of rights, uses, and privileges are made, they must be by my country. If credit for magnanimity becomes due, it will be due to it.

I, however, believe its interests, material and moral, in time of war as in time of peace, will be enhanced by dedicating the canal to the free use, on equal terms, of all nations and their citizens and subjects. I appeal earnestly to this Union, devoted to all things tending to peace, to give its approval to a resolution declaratory of the policy of neutralization of the Panama Canal by international convention or treaty.

Neutralization, in the sense stated, means peace—impossibility of armed hostility—wherever it obtains; and wherever the great powers decide there shall be neutrality, there it will obtain. No signatory or other power would interrupt the neutrality or dare to take the consequence of doing so. The penalty imposed and the indemnity exacted, from which there could be no hope of escape, would be too great. The moral force of a convention signed by the principal great powers of the earth would alone warrant its observance, and natural interest would do the same.

In the millenium of peace, for which we pray, who can say, that to assure its continuance there may not somehow, somewhere, be vested an authority, paternal in character, to chastise the recalcitrant into obedience to mandates of peace and good will to men?

Short as the Panama Canal is, it, like its twin interoceanic canal, will be a highway of commerce and travel through the ages, where races and tongues will, Babel-like, meet, commingle, pass and repass, and it should be made a sacred example of peace where no grimaces of fortifications and threatening guns and army battalions and battle flags of war or other evidences of hostilities can ever be witnessed, and where battleships will not drive away the least defensive vessel that may ride the oceans, whatever flag it may fly. Let neither reveille nor taps ever be heard there; only the joyous murmurs of a bustling peace. Such a step toward universal peace may be a short one, though it will be a significant one. The next step to that end may be easily taken; it may be to similarly neutralize the high seas on all lines of commerce throughout the world; the next or last step in logical order may be to prevent war everywhere, on land and sea, to and for which, with the approval of the reigning God of Mercy, all peoples of all lands and tongues, with one acclaim, would respond "Amen."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KEIFER. Mr. Chairman, I would like to have a half an hour longer. I ask unanimous consent that I have half an hour.

The CHAIRMAN. The time for general debate being limited in the House to four hours, there is no authority in the committee to extend that time.

Mr. WEEKS. Mr. Chairman, I shall have to object to any extension of time on any subject that does not pertain to the bill. I regret this, because the speech of the gentleman from Ohio is important and of great public interest; but he was in-

formed before he commenced that I should object to any extension of time.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HOBSON] 10 minutes.

Mr. HOBSON. Mr. Chairman, it is not my purpose at this time to make a speech on the question of the Panama Canal and its fortifications, though I hope to take up the subject at greater length when the question comes before the House. I desired, however, to ask the gentleman from Ohio [Mr. KEIFER] certain simple and pertinent questions in the course of his remarks. As he declined to answer them, I will undertake to refer to them very briefly. At the outset he referred to the fall of Port Arthur and the weakness of the Russian position because they had not neutralized the stronghold. I desired to ask the gentleman from Ohio if the Japanese, who must fully understand the situation, have undertaken since their control to strengthen its defense through neutralization or through improved fortifications.

I wished to ask the gentleman further whether, in the whole history of the world, he can cite one case where any great nation, having a vital interest at stake, ever undertook to guard and protect it through neutralization.

In connection with the gentleman's faith in the validity and effectiveness of neutralization through treaties or through international law, I was going to ask him about the latest and most binding general treaty in the world, namely, the treaty of Berlin, which neutralizes and guarantees the integrity of the Balkan States. The treaty is in full force and effect, and yet only two years ago Austria violated its most solemn provisions and annexed the Adriatic States without even a protest from the other signatory powers.

He refers to the protection of Switzerland and of Belgium through neutralization. It is a fact that these little countries have, pro rata, the largest armies in the world and the best fortifications. Their organized armies are three times the organized armies of the United States. When the neutrality of Belgium was violated in the Franco-Prussian War, Great Britain did not mobilize her forces in protest, but the Belgian armies repelled the French.

He referred to the Suez Canal. The British distinctly refused to let the word "guarantee" enter the treaty under which its neutralization was effected.

Mr. KEIFER. Will the gentleman yield?

Mr. HOBSON. No, sir. I am sorry, but with 10 minutes I can not yield to you when you, with an hour, could not yield to me.

In that treaty the word used is that the contracting powers "agree," and not "guarantee." The British insisted on striking out the word "guarantee," and the neutralization had been in effect but a few years when the English themselves violated it and used the canal as a base of war operations against the Khedive and overcame the sovereignty or semisovereignty of Egypt.

And then the British in 1878, in the Russo-Turkish War, said, "We will permit no act of war," as though they alone controlled the canal. Indeed, they controlled the canal then and have controlled it ever since. They have put up fortifications along the route to the canal, which, with their control of the sea, give them absolute control. The entrance to the Suez Canal is at Gibraltar. Why have the British not neutralized Gibraltar? Next is Malta, second in strength only to Gibraltar. Then there is Aden. With all these fortifications Great Britain controls the Suez Canal as much as we could possibly control the Panama Canal. Great Britain and France both have fortifications in the West Indies, the approaches to the canal. We have none. To neutralize the canal would give both of these powers advantages over us.

Now, Mr. Chairman, coming down to the real nature of this operation, that canal is nothing more nor less than a water bridge between two oceans, the bridge being across the American isthmus, to aid the transportation and communication of the nations. A western passage was sought by Europe to Asia in the olden days. Why? To escape the tour around the Cape of Good Hope; but, with the building of the Suez Canal, the communication as between Europe and Asia is settled.

The communication between Europe and Asia is not materially affected by the Panama Canal. All the material changes are those affecting the Americas. The Panama Canal will put every foot of coast line on the western shores of all the Americas at the mercy of the great European powers from which they are now secure. It will put every foot of coast line on the Atlantic and the Gulf coasts of the Americas at the mercy of any Asiatic power from which they are now secure. It connects the Americas and puts the east and west coasts of the Americas into close communication. It is essentially for commerce, and, further, fundamentally an American question; a question of the Western Hemisphere. Our forefathers, with the sure insight of their day, felt that in questions that are essentially American the United States should not tolerate the interference of European nations. That is the foundation of the Monroe doctrine. Should we now invite the powers of Europe to join us in this purely American affair, we would not only become involved in the most entangling of all foreign alliances, but we would absolutely abrogate the Monroe doctrine. So plainly is any isthmian canal an American proposition that President Arthur, even in the case of a French canal, warned the powers of Europe that any effort toward neutralization on their part would be regarded as an unfriendly act by the United States. The gentleman from Ohio was wise when he remarked that he would omit the question of the Monroe doctrine. If there should ever be a call upon other nations, it should be to all America, to the Pan-American Republics, to aid us to guarantee this vital American canal, not to the outside world, but for exclusive American use in time of war.

The vital importance of this canal to the safety of the United States is brought out in the war games worked out with great care at the Army and Navy War Colleges. In every case the nature of the war with an Asiatic power hinged upon our controlling the Panama Canal. If we control the canal and guarantee the safe passage of our fleet to a point beyond the exit, where it could form in battle line before being engaged by the enemy, as would be the case under the protection of the heavy guns of forts, then the enemy's fleet would remain in the western Pacific and the war would be fought out around the Philippines and along the coast of Asia. On the other hand, if there are no forts and an enemy could form close in on the Pacific side and engage our ships one at a time as they emerge, or if by an act of war he could render the canal impassable, his Government might promptly disavow the act, but the deadly work could not be undone, and our fleet, compelled to try the passage, almost superhuman in time of war, around the Horn, then the war would be fought out in the eastern Pacific, where the enemy's armies, with large transportation, would promptly seize all our outlying possessions and occupy our Pacific slope without any possible chance of serious resistance.

America to-day has but one fleet, and, according to the present program of building but two battleships a year, we can never hope to have two fleets, for our battleships are becoming obsolete at a rate faster than two ships a year. Indeed, in five years our fleet in the first line of battle, with ships less than 10 years old, will count but 17 ships.

Being doomed by our own neglect to a Navy with but one fleet, we must have absolute, exclusive control of the canal, or else one of our coasts must at all times be defenseless. The exclusive use of the canal in war is a most vital necessity for our national defense. It is beyond my comprehension how any American can hesitate for a moment when our time-honored Monroe doctrine and the vital interests of the Nation are at stake. It is incredible to me that any patriotic American citizen should invoke the aid of outside nations for the security of our vital interests. Are we so weak we can not protect this canal ourselves? We might as well ask foreign powers to protect the Gedney Channel in the entrance to New York Harbor. The Panama Canal is vital to the whole United States, while the Gedney Channel is only vital to one city. We might as well invoke the protection of the civilized world instead of depending on ourselves in the struggle for the right to trade in the great markets of the world. We might as well invoke the monarchies of the world to aid us in our effort to have free institutions survive.

None of the great military powers called in by a treaty of neutralization have ever recognized the Monroe doctrine. On any international board of control over the canal the other nations would be a unit to outvote America. Why can sensible men deceive themselves into the belief that belligerent nations of Europe would respect the neutrality of the canal in the absence of forts? There is not an instance in history to indicate that the superior fleet pursuing the inferior would halt if the latter took refuge in the neutral waters of the canal. The presence of powerful forts in the hands of this peaceful, nonmilitary Nation is the only sure guaranty of the neutrality of the canal as between the other belligerent nations of the world. Existing treaties do bind us to guarantee the neutrality of the canal, but they do not forbid our fortifying it. On the contrary, the treaty under which the Canal Zone was acquired and under which the canal is being built expressly authorizes fortification, and against this treaty, ratified in 1903, not a nation of the world has made a protest. The only protest against fortification is coming from misguided Americans.

Where our sacred treaty obligations and our vital interests are at stake, how can we escape the responsibility of taking charge ourselves? Oh, the folly of relying upon international law for a nation's security! It is against international law for belligerents to enter neutral territory, but Russia and Japan fought out their whole war on Chinese soil. International law and treaties guaranteed the sovereignty of Korea, but when Korea sent her delegates to appeal to The Hague Conference they were not allowed to enter the hall of the convention. America pledged herself by treaty to intervene if Korean independence were at stake. But even we would not receive her delegate or raise a voice in her behalf when her sovereignty was recently extinguished. No nation on earth has yet consented to arbitrate any question of vital interests. How, my countrymen, can we confide the interests most vital and most sacred to the American heart and the American Nation to hands wholly out of sympathy with American ideals and American aspirations? [Loud applause.]

I ask unanimous consent to extend my remarks in the RECORD, should I not have a later opportunity with more time to discuss this vital issue.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MOON of Tennessee. I now yield 20 minutes to the gentleman from South Carolina.

Mr. SMALL. Mr. Chairman, I should like, if I may, for a brief time to divert the attention of the committee from matters of war and fortifications of the Isthmian Canal to one feature of the Post Office appropriation bill under consideration. I shall not attempt to discuss it generally, except to say that as a member of that committee I am satisfied no appropriation bill will be brought into this House during this session that has received more careful consideration or from a committee presided over by a more able and conscientious chairman.

I wish to call the attention of the committee to one service provided for in this bill—the Rural Free Delivery Service—and I do so because, in my humble judgment, it has been discriminated against and has not received fair and equal treatment in the administration of the department, at least during the past two years. It may be as well to refer briefly to the growth, the magnitude, and the importance of the service rendered over the rural delivery routes.

This service is only 14 years old, having had its beginning in 1897. In that year only 82 routes were established. It has now grown so that on the 30th day of June last there were 41,079 routes. A year ago a calculation showed that there had been an average annual increase of rural routes up to that time of 2,935. The appropriations have shown a like increase, in response to what is believed to be a normal demand. From $40,000 appropriated in 1897 there was appropriated for the fiscal year ending June 30, 1910, $37,260,000, and for the present fiscal year $38,860,000. During all these 14 years the average annual increase in the appropriations has amounted to about two and a half million dollars.

There has been considerable discussion and comment by those who would effect economies in the administration of the postal service about this large increase of expenditure for rural routes and how it has added to the deficit which has caused so much concern. But there appears in the report of the Fourth Assistant Postmaster General, just submitted, some figures which go to show that this service has not entailed the large expenditures which many believe.

It is stated in his report that during the existence of the rural service, from 1899 to 1910, 23,699 post offices were discontinued, which effected a saving in salaries of postmasters amounting to $8,102,262. During the same period the saving on account of star-route service discontinued amounted to $18,307,126.48, or a grand total saving in postmasters' salaries and star routes discontinued of $26,409,388.48.

Now, if we deduct that grand total of saving through the introduction and establishment of rural service from the total expenditure for the rural service for the past fiscal year, we have a net result amounting to $10,514,349, representing the net cost of the rural service, after deducting the amount which has been saved in the manner I have indicated. This saving, which has been accurately tabulated and which correctly states the amount thus saved, does not take into consideration the increased revenues afforded by reason of the increased postal receipts in city offices and in urban communities generally by reason of the increased mail matter encouraged by the introduction of the rural service.

If it were possible to arrive at the increased revenues by reason of the increased amount of mail matter through the introduction of the rural service, I doubt not that the result would show that the rural service was of very little cost to the Government in the administration of the Postal Department.

Now, Mr. Chairman, I have no purpose to take up the time of the committee at great length, but I wish to advert briefly to the reasons in support of the statement which I made, that the department, during the last two years, had not treated the rural service fairly. During the consideration of the Post Office appropriation bill one year ago, for the present fiscal year, the committee, unless I am mistaken in my recollection, recommended an increase of $285,000. When the bill came before the Committee of the Whole we added in this House an increase of $1,500,000. There was a very general debate during the consideration of the bill under the five-minute rule, and it was apparent to every Member of this House, no matter what his attitude toward the rural service may have been, that a very large majority of its membership were decidedly and unequivocally in favor not only of maintaining this service by a liberal, generous appropriation, but also in favor of the expenditure of that amount by the extension of rural routes throughout the rural sections of the country.

Now, there was left over at the expiration of the last fiscal year, on June 30, 1910, and not expended $336,263. During the hearings before the committee in the consideration of the present bill the Fourth Assistant Postmaster General testified that they had on hand at that time, about the middle of last month, unexpended, that is to say, that there would be at the end of the present fiscal year unexpended, if there were no more rural routes established, the sum of $1,700,000. In other words, when about six months of the present fiscal year had expired, if no more additional routes should be added during the present fiscal year, there would be $1,700,000 on hand. It developed upon inquiry that up to the same date, since the 1st of July, there have only been established 153 routes. Now, the average number of routes established during the existence of the service has been 2,935. If there shall be 150 more routes established by June 30 next there will only have been during the entire year 300 additional routes. Why has this money not been expended?

Mr. BARTLETT of Georgia. I am interested in the discussion of this matter, because I have had an experience similar, doubtless, to that which the gentleman has had, in having routes investigated and approved by the inspector and recommended to be established, but not established. My recollection is that at the last session of Congress the gentleman offered an amendment, which the House and Senate adopted and which was carried in the bill, providing a sufficient amount of money to have inaugurated the rural routes that had then been reported upon favorably. If they had been established, they would have greatly served the convenience of the people; but when we went to the department to have them established we found a policy, said to exist there, not to put these routes into operation, although they had been investigated and although the inspector had reported that they were proper routes to be established and met all the requirements, because they said they were economizing; not that they did not have the funds, not that the service was unnecessary, but that they did not see fit to put in operation routes that had been approved, some of them in my own case for three or four years. Some of them have not yet been established, although they have met all the requirements. I have had one or two established, but it was put upon the ground that upon investigation they found that they were urgent. That is the word they used to me.

If the department can absolutely override the will of Congress, certainly it is exercising an authority which I do not think ought to be exercised, and certainly ought not to be exercised without criticism.

Mr. SMALL. The remarks of the gentleman from Georgia, I think, are entirely proper and pertinent, and I doubt not that his experience is similar to that of many other gentlemen in this House, particularly those representing rural districts. I know that it coincides with my own experience.

Mr. HARDY. Will the gentleman yield?

Mr. SMALL. With pleasure.

Mr. HARDY. I want to say that that experience stated by the gentleman from Georgia applies not only to rural routes, but to other expenditures authorized by way of the improvement of streams. Some party somewhere in some departments of the Government has assumed to exercise a revisory authority over the acts of Congress and refuse to expend appropriations made for legitimate purposes within the discretion of the department. The appropriations were absolutely made, but the discretion of the department has been made to override the action of Congress, particularly with reference to some streams.

Mr. SMALL. I have no doubt of that; but I would rather confine this discussion to the postal service.

Mr. HARDY. It is simply an analogy.

Mr. BARTLETT of Georgia. I do not wish to abuse the courtesy of the gentleman from North Carolina in taking up his time, but I want to say that those of us fortunate enough to represent rural districts would like to have the gentleman from North Carolina suggest—and I assure him my hearty co-operation—and provide by this bill in some way so that when an appropriation of money is authorized by Congress we can have it carried out. The gentleman from North Carolina is a member of the Committee on Post Offices and Post Roads, and we look to him and his associates to aid us in that particular. I hope the gentleman, before this bill is passed, will suggest something in the way of an amendment to aid us to carry out the will of the House expressed in its appropriation bill and furnish these rural districts with proper mail facilities.

Mr. SMALL. I think the suggestion of the gentleman from Georgia is worthy of consideration. Now, I want to call the attention of the committee to this fact: The increase in the appropriation for rural service during the present fiscal year over that for the year ending in 1910 amounts to $1,600,000, and yet on the middle of December, 1910, when nearly six months of the present fiscal year have expired, the Fourth Assistant Postmaster General reports that if no more routes are restored by the end of the fiscal year there will be $1,700,000 unexpended.

Mr. LEVER. Will the gentleman from North Carolina state the number of proposed routes pending in the department at this time?

Mr. SMALL. I can give the gentleman the information. December 8, 1910, there were pending before the department 1,416 petitions, and on the same date there were 1,054 routes which had been investigated, approved, and reported ready for installation.

Mr. BARTLETT of Georgia. If the gentleman from North Carolina will pardon me, I want to say that, whether the report shows it or not, speaking from my own experience, there are routes reported ready for installation, ordered to be installed, but the date of installation postponed to meet some policy of the Post Office Department. I do not know whether the report shows it or not, but there are instances of that kind. I am told that my district is not the only one in that condition; there are doubtless a number of districts where they have been reported as ready to be installed, approved, but the date of installation postponed by order of the Postmaster General.

Mr. SMALL. I understand there are other instances in addition to those the gentleman states. Now, I wish to call the attention of the committee to another pertinent fact. It appears in the report submitted by the chairman of this committee in connection with this bill that this pending bill carries an appropriation of $1,987,373 for shortages in the appropriations for the present year in other lines of the postal service. That is to say, there is a deficit for the present year of nearly $2,000,000, excluding the rural service. Yet in the rural service we have on hand authorized and unexpended $1,700,000.

Now, I do not wish to do any injustice to the department; I am simply discussing this from the standpoint of one who believes in this service, who believes that great benefit is accomplished through it to a people who are as largely deserving as any other class of our people, and that instead of being administered in a niggardly manner, in such a way as to diminish its benefits or retard any increase of them, it ought to have equal treatment, if not better treatment, than any other branch of the service.

Mr. WEBB. Can the gentleman give us any information as to who is responsible for retarding the installation of these routes? I remember quite distinctly that the gentleman himself had an amendment ingrafted on the bill here a year ago enlarging the appropriation for rural routes, yet in our section there has been hardly a new one established, and I would like to know from the gentleman, as a member of the committee, who is responsible, if there is any particular man, or what group of men are responsible.

Mr. SMALL. Mr. Chairman, I will endeavor to answer the gentleman's question before I conclude, and, by way of parentheses, I might say here that since June 30 there have been established only four routes in the entire State of North Carolina. I do not wish to do any injustice to the department, and I will give briefly the situation as they have presented it to the committee.

They admit that for the fiscal year 1910, for reasons of economy owing to the condition of the Treasury, they did hold up investigations; that they did stop the establishment of routes which had been favorably reported and ready for installation; but they say that that period has passed, and that they are not now holding up the increase of this service for any such reason.

As I understand the Fourth Assistant Postmaster General, he says that since June 30, 1910, the delay has been due to another reason. It seems that with the beginning of this fiscal year it was determined to transfer the star-route service from the division of the Second Assistant Postmaster General to the division of the Fourth Assistant Postmaster General. That was not in effect until October 1, 1910, and since that time they say by reason of this transfer, by which hereafter both the rural and star-route services will be consolidated under the Fourth Assistant Postmaster General, they have not yet gotten themselves in shape to give proper attention to the extension of the rural service.

For another reason they say that they are taking up the country by sections—the first, second, third, and fourth sections—and investigating jointly the star-route service and the rural service with the view to adjusting the one or the other, or both, as the case may be, so as to furnish the best service to rural communities and sections and with a view to effecting economies, and they say further that from this time on they expect to be able to give greater attention to this service, and that we may expect to have a larger number of rural routes established. To do them entire justice, I would say that in addition to the 153 routes already established during this fiscal year, they propose to increase the number to 1,248 routes by the end of this fiscal year, on June 30 next. The Fourth Assistant Postmaster General also anticipates that 1,000 additional routes will be established during the next fiscal year of 1912.

These promises by the department for greater activity in the future in the extension of rural service will be gratifying to the country, but the Postmaster General and the Fourth Assistant must not expect implicit faith in their promises in view of their apparent neglect of the service during the past two years. Nor have the excuses rendered for this neglect been so frank and candid as to inspire implicit faith in the future.

If economy has been necessary at any time, why should they have singled out the rural service more than any other line for effecting a saving? In view of the plain legislative will as expressed in the last appropriation bill, why should they have delayed the establishment of routes until they could effect a consolidation under one head of both the star-route service and the rural service? Before establishing rural service, why should they have waited for an opportunity to adjust the star-route service and the rural service in some particular way, and why should they have taken up the matter by sections and in the meantime held up the extension of the service in other sections? I submit that the officials of the department should have continued to investigate petitions as they were filed and, without imposing any onerous or burdensome conditions, should have continued to establish routes, and thereby meet the normal and legitimate demand throughout every section of the country. Suppose the department had treated the extension of the Railway Mail Service or the City Delivery Service in a similar way. The department would not dare hold up the normal extension of mail facilities to the cities and other urban communities, and thereby have invoked an indignant storm of protest, but they chose the rural communities of the country for unjustifiable economies and for experimentation.

In answer to the inquiry of my colleague [Mr. WEBB], I do not know where to place the individual responsibility for the condition which has existed. However, I do undertake to say that the department can not indefinitely continue to thwart the will of Congress and undertake to exercise their option as to when they will execute the law; and in the expression of this sentiment I feel that I am reflecting the opinion of this House, without regard to political or sectional considerations. [Applause.]

Mr. WEEKS. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. STEENERSON].

Mr. STEENERSON. Mr. Chairman, the postal service is perhaps closer to the people than any other Government service. Although its original function was to carry the dispatches of the Government, the Government business has in the course of time become simply an incident, and the service of the people has become its main function. Inasmuch as it is a service for the accommodation of the people, it is reasonable and proper that the persons who use this service should pay for it; in other words, that the postal service should be self-sustaining, and that therefore a postal deficit should be discouraged, because a postal deficit means that the taxpayers generally, regardless of the amount of the service they receive from the postal establishment,

have to contribute. The year before last there occurred the greatest postal deficit in the history of the country, approximately seventeen and one-half millions of dollars.

In the reports of the department it was explained that this deficit was due mainly to two causes: First, to the loss incurred on the second-class mail matter, which was transported at the low rate of a cent a pound regardless of distance; and, second, by reason of the free rural delivery service. Upon the latter I think that the department showed an estimated loss of $28,000,000. In the last report of the Post Office Department the deficit appears to be only $5,800,000, so that there has been a reduction of approximately eleven and one-half millions of dollars in the postal deficit during last year. The Postmaster General, in his report commenting upon this showing, says:

It is most gratifying to report that this unprecedented reduction has been made without any curtailment of postal facilities. On the contrary, the service has been largely extended.

Now, that statement I can not let pass unchallenged. I was very much interested a moment ago in the remarks of the gentleman from North Carolina [Mr. SMALL] with reference to the condition of the rural routes. He is a member of the committee and familiar with the situation. I gained from the hearings before the Committee on the Post Office and Post Roads substantially the same information that he gives in the speech which he has just concluded. I find on page 439 of the hearings that the Fourth Assistant Postmaster General stated:

As of December 1, 1910, there were 1,416 petitions pending. Seven of these have been assigned for establishment January 3, 1911, and 9 for establishment February 1, 1911, leaving the remainder, 1,360, unacted upon. There were ready on December 8, 1910, for installation as soon as the department feels that the investigations now in progress will permit of their installation 1,054 routes.

When Congress was about to adjourn last summer I made inquiry and learned, if I recollect rightly, that there were something over 1,100 rural routes in the United States that had been petitioned for, inspected, and approved, and were ready for installation of service, but that the department withheld the service for the reason that the condition of the Treasury did not permit the expenditure of the funds. I had several cases, I think some 12 or 15, then pending that were approved by the inspectors—nothing the matter with them; they were entitled to the service—but when I wrote to the Postmaster General about it I received an answer to the effect that owing to the condition of the Treasury the service could not be installed immediately. We increased the appropriation for new rural routes. I am now told, and I think it appears in these hearings, that something like $426,000 remains unexpended of the money appropriated by Congress for this service. From the statement of the gentleman from North Carolina just made it appears that the Post Office Department has changed the reason given for refusing to install this service.

In the first place they refused because of the general condition of the Treasury, on the ground that there was a general deficit. In their next or later reason they say they are investigating the conditions with a view of either consolidating or changing rural routes into star routes or rearranging them. Now, it seems to me that this delay is very unjust and inexcusable. This rural service is intended for the farmer. This refusal of the Post Office Department to install the services where they are entitled to it is a discrimination against that part of the country which ought not to be discriminated against, to wit, the newer sections of the country. In the older sections the rural routes have already been established many years, and they have a county service and are not affected. It seems to me that the anxiety, and I may say the overanxiety, on the part of the Post Office Department to reduce the postal deficit has been the cause of their unjustly, if not unlawfully, refusing to spend the money appropriated by Congress upon the routes which they themselves have inspected and approved as coming within the requirements. It may not be well known to all the Members of this House that a large part of Minnesota is a new country, but it is a fact. It is only a short time ago that northern Minnesota was covered with Indian reservations and the land was unoccupied, but settlers have been coming in for the last few years.

I remember six years ago when an act was passed opening some quarter of a million acres in my district to settlement, all formerly Indian lands, that they were settled upon, and within two years from the time that the Indian reservation was opened we had four or five rural routes through that country. And so it is in northern Minnesota; there are a great many regions where the settler is going, and we are getting more farmers, and these petitions for rural routes have been made in anticipation that they would get the service. They are entitled to it, and they have to pay their share of the taxes, whereas the older sections of the country that already have established this service are getting the benefit of it. So if there is any section of the country that ought to be favored, where there ought to be a little more given than is actually due, it is to the frontier and newer sections of the country. The postal service is one which is usually put in in advance of settlement. It has been the history of this country that the postal service has preceded the pioneer, or at least followed him very closely, and we should not scrutinize too carefully whether the service pays or not. The economy that has been prevalent in the Post Office Department for the last year, whereby its postal deficit has been cut down from $17,500,000 to $5,800,000, has not only affected the rural routes that have been petitioned for, but it has affected the star routes to which the people are entitled.

Where we are entitled to daily or triweekly service by reason of the growing settlements, the service remains the same as it was several years ago. I therefore said that I challenged the accuracy of the statements of the department that this wonderful saving, as it is called, of eleven and one-half millions of dollars has been brought about without curtailment of the postal facilities. I believe that the present bill appropriating for this service perhaps carries sufficient to pay for the new service that we are likely to get, although I shall probably offer an amendment increasing the amount, because if they are to catch up with the installation they will have to work very rapidly in the near future.

There were only five new routes established in the whole State of Minnesota last year. There seems to have been some favoritism shown. Minnesota got only five new rural routes last year, while some States got as high as 39.

COST OF FOREIGN MAIL.

The report of the Post Office Department not only undertakes to show in what branch of the service there is a loss, but also in what there is a profit. One of these is the foreign mail service, and I propose to examine into that matter in some detail, for I verily believe that the conclusions drawn as to this alleged profit on foreign mail are erroneous.

The law governing ocean-mail pay is section 4009, United States Revised Statutes, which has been the law since 1872, and reads as follows:

For transporting the mail between the United States and any foreign port or between ports of the United States touching any foreign port the Postmaster General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage; and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage on the mail so transported.

In addition to this statute there is the so-called ocean mail act, March 3, 1891. The latter act authorized the Postmaster General to enter into contracts for a term of not less than five or more than 10 years with American citizens for carrying the mails on American steamships to all ports between the United States and such other ports in foreign countries as in his judgment will best subserve and promote the commercial interests of the United States. The vessels employed under this act must be American-built steamships, owned and officered by American citizens in conformity with existing laws, and upon each departure from the United States must have for the first two years one-fourth and for the next three years one-third and for the balance of the term one-half of its crew American citizens. The vessels are divided into four classes:

First. Iron or steel, capable of maintaining a speed of 20 knots per hour and a tonnage of not less than 8,000 tons.

Second. Must be capable of a speed of 16 knots with not less than 5,000 tons.

Third. Shall be capable of a speed of 14 knots and a tonnage of not less than 2,500.

Fourth. May be iron, steel, or wood, capable of maintaining a speed of 12 knots and a tonnage of 1,500.

The maximum compensation to vessels of the first class is $4 per mile; the second, $2; for the third class, $1; and for the fourth class, two-thirds of $1, or 68⅔ cents per mile by the shortest practicable route for each outward voyage.

Vessels that operate under this act are under contract with the Post Office Department, and the service they perform is referred to in the departmental records as "contract service." They are paid by the mile for the outward voyage, regardless of the weight of the mails that they carry. You would pay a vessel no more under this act for carrying 1,000 tons of mail than 1,000 pounds.

It will be observed that all American vessels operated under Revised Statutes, section 4009, receive both the sea and inland postage, and that all vessels operated under the subsidy act of

1891, received, on a mileage basis, $346,677.39 over and above that amount.

I insert an extract from the department report, as follows:

COST OF SERVICE, WEIGHT OF MAILS, ETC.

The cost of the foreign mail service during the fiscal year ended June 30, 1910, was distributed as follows:

Trans-Atlantic service		$1,521,252.84
Trans-Pacific service		160,774.75
Miscellaneous service		693,182.06
Panama Railroad service		59,960.07
Sea post service		77,748.30
Steamboat transfer service, New York		77,900.00
Miscellaneous items, telegrams, etc		2,199.37
Sea conveyance from the United States of closed mails of foreign origin		287,496.13
Paid to foreign countries debit balances on account of intermediary maritime and land transit of mails of United States origin, including parcel post from Panama to Valparaiso		516,209.30
Expenses of United States postal agency at Shanghai		8,007.76
For this department's share in maintaining the International Bureau at Berne, Switzerland, including subscription to the Journal L'Union Postale and the Universal Dictionary of Post Offices		1,351.00
For rent of office rooms for assistant superintendent of division of foreign mails, New York, N. Y		1,100.00
For assistant superintendent of division of foreign mails, with headquarters at New York, N. Y		2,500.00
Making the aggregate cost of the service		3,409,681.58
Less amounts received as credit balances on account of intermediary maritime and land transit of mails of foreign origin, and covered into the United States Treasury as postal revenues	$285,925.55	
Receipts of United States postal agency at Shanghai for postage stamps sold and box rents collected and covered into the United States Treasury as postal revenues	11,453.57	
		297,379.12
Leaving the net cost of the service to the United States		3,112,302.46

The amounts estimated as necessary for the fiscal year ending June 30, 1912, are:

For transportation	$3,339,085
For balances due foreign countries	521,400
For rent of office rooms for assistant superintendent, division of foreign mails, New York, N. Y	1,100
For assistant superintendent, division of foreign mails, New York, N. Y	2,500
Total	3,864,085

The weights of mails dispatched by sea to foreign countries for the fiscal year ended June 30, 1910, were:

	Grams.	Pounds.
Letters and post cards	1,180,832,608	2,603,663
Other articles	6,678,721,491	14,726,580
Total	7,859,554,099	17,330,243

Steamers flying the flag of the United States, but not under formal contract, are allowed for conveyance of the mails not exceeding the full postage on the mails conveyed, at present at the rate of 80 cents a pound for letters and post cards and 8 cents per pound for other articles; and steamers under foreign flags are allowed 4 francs per kilogram (about 35 cents a pound) for letters and post cards and 50 centimes per kilogram (about 4½ cents a pound) for other articles, calculated on the basis of the actual net weights of the mails conveyed. For the conveyance of foreign closed mails the conveying steamers, whether under the United States or foreign flags, are compensated at the rate of 4 francs per kilogram for letters and post cards and 50 centimes per kilogram for other articles. Statement 1 of Table D, appended hereto, shows in details the weights of the mails conveyed and the amounts of compensation received by each of the different lines of steamers, and indicates as well which steamers are of United States and which of foreign register; statement 2 of Table D shows the weights of foreign closed mails forwarded from the United States by the different lines of steamers and the compensation paid to each line for their conveyance.

Based upon a count made at United States exchange post offices during seven days in October, 1909, and a like number of days in April, 1910, it is estimated that the number of articles exchanged with all foreign countries (including Canada and Mexico, by land and sea) during the year ended June 30, 1910, was 322,630,564 pieces sent and 288,080,807 pieces received, and that the amount collected by the United States as postage on such articles was $8,294,422.04, of which sum the postage collected on the articles exchanged with all countries other than Canada and Mexico is estimated to have been $5,739,624.22.

CONTRACT OCEAN MAIL SERVICE.

There have been no changes during the year in the contracts in force for the performance of service under the provisions of the act of March 3, 1891, except that the contract for service on route No. 75, from San Francisco to Sydney, upon which service was discontinued in March, 1907, and was not thereafter resumed, expired by limitation October 31, 1910. Therefore service was performed on seven routes, as set forth in the last annual report.

The total cost of the service was $1,114,603.47, a net excess of cost over the amount allowable at the present rates to steamers not under contract of $346,677.39.

The first question that arises is as to the correctness of the estimated revenue derived from the foreign mail. At first glance it would appear a simple matter to determine, for multiplying the number of pounds in each of the two classes in which foreign mail is divided by the postage applicable to each would give the total.

Two million six hundred and nine thousand six hundred and sixty-three pounds first-class mail, at 80 cents, gives $2,087,730.40, and 14,726,580 pounds of "other articles," at 8 cents, gives $1,178,126.40; in all, $3,265,856.80; which, as against $3,112,302.46 paid for ocean carriage, would only leave $153,554.34 for carriage and handling on land. But the above report states that the "sum collected on the articles exchanged with all countries other than Canada and Mexico is estimated to have been $5,738,624.22," an excess of $2,627,321.76 over cost of ocean carriage. The explanation of the difference in the actual postage estimated to be collected and the sum found by multiplying the postage rate by the number of pounds is found in the fact that practically all letters are under weight and most "other articles" also slightly short, so that instead of collecting 80 cents on a pound of letters, or 5 cents an ounce, there is on the average $1.719 collected, as is shown by department letter.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C.

Hon. H. STEENERSON.

DEAR SIR: Replying to your personal inquiry of the Second Assistant Postmaster General to be furnished with an estimate of the number of letters per pound and the revenue per pound for domestic and foreign mails, respectively, I have the honor to inform you as follows:

The special weighing of the mails for 1907 shows the average number of pieces of first-class domestic mail to the pound to be 44.85 and the average revenue from postage thereon for a pound to be $0.8753. This includes letters, postal cards, and other first-class mail.

It is estimated that the number of letters to the pound dispatched from the United States to foreign countries, exclusive of Canada and Mexico, is 40.66 and that the revenue derived from postage prepaid on the same averages $1.719 for the pound. It is estimated that the number of letters to the pound dispatched from the United States to Canada and Mexico is 44.85 and that the revenue derived from postage prepaid on the same averages $0.937 a pound.

If the entire foreign mails are to be considered together, it is estimated that the average number of letters to the pound is 42.50 and that the revenue therefrom averages $1.362 per pound.

These statistics regarding revenue derived from foreign mails do not include the amount of postage collected by our administration on short and unpaid letters received from foreign countries. For the calendar year 1909 it was $577,736.31, exclusive of the amount collected on letters from Canada and Mexico. If this amount be added to the estimated revenue derived from postage prepaid on all letters dispatched from the United States to foreign countries, exclusive of Canada and Mexico, the revenue derived from a pound of such letters would be $2.013.

Yours, very truly,

FRANK H. HITCHCOCK,
Postmaster General.

On domestic letters where the postage is 2 cents an ounce the estimated revenue, instead of 32 cents to the pound, is 87.53 cents.

No estimate of revenue from other articles of foreign mail is at hand, but in the nature of things the difference between the actual and assumed weight is much less on account of the larger pieces.

We have a departmental report (1909) on "Cost of transportation and handling the several classes of mail matter," and on page 19 the revenue per pound derived from foreign mail, of all kinds, is given as $0.15879. Multiplying the total pounds of all kinds of foreign mail by this figure we find the total revenue to be only $4,340,721.02, as against $5,739,624.22 given above, from the last annual report.

There is one important element that must be taken into account, however, if we are to get a fairly correct estimate of revenue from foreign mail, which was not taken into account in the above-quoted departmental figures, for the data did not then exist, and that is the 2-cent letter rate that went into effect in October, 1908, on letters to Great Britain and Ireland, to Newfoundland January 1, 1909, and also to Germany. The calculations above quoted were based upon the idea that the full foreign postage rate was collected, but instead of that, during last year we only collected a 2-cent rate, the same as domestic postage, on letters to the countries mentioned. On page 34 of the Report of the Second Assistant Postmaster General for 1910 the loss by reason of this reduction of postage is given at $751,670.93.

In other words, the total estimated revenue from foreign mail was based upon a calculation that assumed that the 5 cents per ounce, or Postal Union rate, applied to all the letters sent, when, as a matter of fact, we received $751,670.93 less than we would have received had we collected Postal Union rates all around. I will insert the extract on parts of pages 33 and 34 of the report:

REDUCED POSTAGE RATE FOR CERTAIN LETTERS.

Mention was made in the last annual report of the agreements between the United States and the United Kingdom of Great Britain and Ireland and between the United States and Germany for a 2-cent rate on letters. In the case of Germany it applies only to letters which may

be sent to Germany by sea direct. Careful statistics have been gathered in order to show the effect of these changes upon the postal revenues and upon the increase in the number of letters dispatched. Counts taken during seven days in October, 1909, and seven days in April, 1910, are the basis for the following estimates:

Letters dispatched to Great Britain and Ireland.

Total number of letters for one year	20,785,076
Total postage prepaid thereon at 2-cent rate	$462,846.80
Total postage that would have been collected thereon calculated at Postal Union rate	$1,106,869.93
Additional revenue that would have accrued if paid at Postal Union rate	$644,023.13

Letters dispatched to Germany by sea direct.

Total number of letters for one year at 2-cent rate	3,484,936
Total postage prepaid thereon	$75,239.84
Total postage that would have been collected thereon calculated at Postal Union rate	$182,887.64
Additional revenue that would have accrued if paid at Postal Union rate	$107,647.80
Total number of letters for one year at Postal Union rate	4,997,928
Total number of letters for one year at both rates	8,482,864
Percentage of 2-cent rate letters of total number sent	41
Total additional revenue that would have accrued on letters to the United Kingdom and to Germany at Postal Union rate, assuming that the same number of letters would have been dispatched	$751,670.93

The percentages of increase in the number of letters dispatched, according to the count taken in April, 1910, over that taken in October, 1909, were as follows:

	Per cent.
Letters dispatched to Great Britain and Ireland	4
Letters dispatched to Germany:	
Two-cent rate	29
Five-cent rate	10
For both rates	17.5

This reduces the total revenue to $4,987,953.29 on the department's latest figures, and if the multiple of 0.15879 is used for all foreign mail, as was done in the special cost report of a year ago, and then the above deduction is made, we have $4,340,721.02 less $751,670.93, or $3,589,050.09, as the total income.

The department's last report gives the "net cost" of the foreign-mail service at $3,112,302.46, but this confessedly does not allow for the inland handling and transportation of the outgoing mail; that is, it does not allow for the expense of gathering and sorting the mail and its transportation from the point of origin to the seashore, where it is delivered to the conveying steamer; neither does it allow anything for the cost of handling and transporting the incoming foreign mail.

The whole foreign mail really consists of outgoing and incoming mail, but we only collect postage on the former, and the foreign country collects and keeps the postage on the incoming mail.

In other words, it is a mutual service, and we collect and keep all we collect for postage, and so do the foreign countries where the incoming foreign mail originates. Now, we handle and transport this incoming mail as consideration for a like service by the foreign countries to which our outgoing mail is destined.

If we estimate the incoming mail at 80 per cent of the outgoing and that the cost of handling and transporting is the same for both, we have this result:

	Pounds.
Outgoing mail	17,330,243
Incoming mail, 80 per cent	13,864,149
Total	31,194,437

This mail is handled and transported from the very extreme boundary of our country, and is therefore subject to a longer average haul than ordinary domestic mail. The Postmaster General estimates the cost of handling and transporting second-class mail at 0.923, and 10 cents a pound paid for handling and transporting the incoming and outgoing foreign mail is therefore very low. At this rate it costs us $3,119,443.70 to handle and transport the incoming and outgoing foreign mail after it leaves or before it reaches the ship. Adding this to the original cost of the ocean carriage, which was $3,112,302.46, we have a total of $6,231,746.16 as the actual cost of the foreign mail, as against a total estimated revenue of $5,739,628.22, or a total deficit in the foreign mail of $542,121.94.

But there is one item that does not appear in the reports that I think should be credited to the foreign mail; that is $570,363.01, which represents the amount collected last year on short-unpaid letters received from foreign countries. But even after allowing this credit we have $21,758.93 as the net deficit in the foreign mail account. So the much talked of profit on the foreign mail turns out to be a myth and there is a deficit instead.

Why have the department reports for years carried this "estimated profit on foreign mails," which does not seem ever to have existed? The report of the Postmaster General for 1909 states "that the estimated profits from foreign-mail service (not including the cost of handling between the United States offices and offices of mailing and delivery in this country) is in excess of the combined cost of the suggested service now in effect under the provisions of the act of March 3, 1891." The suggested service was a subsidy to ocean lines of $2,200,000 per annum.

But why this exclusion, and why omit the cost of handling and transporting the incoming mail? The conclusion seems irresistible that it is for the purpose of showing a fictitious profit as an inducement to voting a subsidy.

This alleged "estimated profit" on foreign mail service has done duty for lo, these many years as one of the arguments for ship subsidy, and it seems about time to call attention to its fallaciousness. It might also be added that under no theory could the alleged profit be attributed to the service of our domestic ships, for they are paid the total sea and inland postage calculated by actual weight, or 80 cents per pound for first-class and 8 cents per pound for other matter, as against 35 cents and 4½ cents to foreign ships—subsidized ships; that is, "contract service under act of 1891" received last year $346,699.39 in addition.

The following letter shows that our own ships received a larger sum in 1909 for a much smaller service:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., February 26, 1910.

Hon. H. STEENERSON,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to your letter of the 24th instant, I have the honor to inform you as follows:

The weight of the mails dispatched by sea during the fiscal year ended June 30, 1909, by steamers of American register, were 682,597 pounds of letters and post cards and 4,938,698 pounds of other articles. The amount paid to the conveying steamers was $1,384,996.18.

The weights of the mails dispatched by sea during the fiscal year ended June 30, 1909, by steamers of foreign register, were 1,608,421 pounds of letters and post cards and 8,077,759 pounds of other articles. The amount paid to the conveying steamers was $919,075.62.

Yours, very truly,

FRANK H. HITCHCOCK,
Postmaster General.

I am opposed to the policy that refuses to extend adequate postal facilities to the new and growing rural sections of our country for the sake of saving money with which to pay ship subsidies. This administration was elected upon a platform which promised the extension of free rural delivery "until every community in the land receives the full benefit of the postal service," and it is time to drop all evasion and lame excuses and immediately inaugurate the service Congress has provided for and which the people demand. [Applause.]

Mr. WEEKS. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. CALDER].

Mr. PARSONS. Mr. Chairman, I make the point of no quorum.

The CHAIRMAN. The Chair will count. [After counting.] There are 82 Members present, not a quorum, and under the rule the roll will be called.

The roll was called.

The SPEAKER resumed the chair; and Mr. STEVENS of Minnesota, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, finding itself without a quorum, had caused the roll to be called, and he reported the following absentees:

Ames	Ferris	Knapp	Pou
Ashbrook	Foelker	Korbly	Pujo
Barclay	Fowler	Küstermann	Rainey
Barnhart	Gardner, Mass.	Law	Reeder
Bates	Gardner, Mich.	Lindbergh	Reid
Bennet, N. Y.	Garner, Pa.	Lindsay	Rhinock
Burgess	Gill, Md.	Livingston	Robinson
Burke, S. Dak.	Gill, Mo.	Lloyd	Rucker, Mo.
Burleigh	Goebel	Loudenslager	Sharp
Burleson	Gordon	Lowden	Sheffield
Cantrill	Graff	Lundin	Sherley
Capron	Greene	McDermott	Sims
Carter	Gregg	McGuire, Okla.	Sisson
Clark, Fla.	Guernsey	McKinlay, Cal.	Slayden
Cocks, N. Y.	Hamill	McKinley, Ill.	Small
Cooper, Pa.	Harrison	McMorran	Smith, Cal.
Coudrey	Hay	Madison	Snapp
Craig	Heald	Maynard	Southwick
Cravens	Hinshaw	Miller, Kans.	Sperry
Creager	Hitchcock	Millington	Spight
Dawson	Howard	Morehead	Sturgiss
Denby	Hubbard, Iowa	Mudd	Taylor, Ala.
Denver	Huff	Murdock	Taylor, Ohio
Dickson, Miss.	Humphrey, Wash.	Murphy	Thistlewood
Dixon, Ind.	Humphreys, Miss.	Padgett	Thomas, Ky.
Draper	Jamieson	Palmer, A. M.	Townsend
Durey	Johnson, Ohio	Palmer, H. W.	Underwood
Ellerbe	Kahn	Patterson	Washburn
Fairchild	Kennedy, Ohio	Peters	Willett
Fassett	Kinkead, N. J.	Poindexter	Woodyard

The SPEAKER. The Chairman of the Committee of the Whole House on the state of the Union reports that that committee finding itself without a quorum caused the roll to be called and reports the foregoing absentees. It is found that 120 Representatives are absent, leaving a quorum present.

Under the rule the Committee of the Whole House on the state of the Union will resume its sitting.

The CHAIRMAN (Mr. STEVENS of Minnesota). The House is in Committee of the Whole House on the state of the Union for the further consideration of the Post Office appropriation bill. The gentleman from Massachusetts [Mr. WEEKS] has yielded 15 minutes to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Chairman, in this morning's mail I received a letter which, for the instruction of the gentlemen on the other side and for the information of the American people, I send to the Clerk's desk and ask to have read in my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

A COLD DECK FOR THE COMING CAUCUS.

"I'll speak to it, though hell itself should gape and bid me hold my peace."

DEAR CONGRESSMAN: You are invited to a feast of stale dishes. The hand about to be dealt you is from a cold deck. A few "early birds" have "framed up" a deal whereby the caucus is cold decked and the new Members politically caponized.

Mr. HEFLIN. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. HEFLIN. The document now being read is not germane to the subject under discussion before the House, and I make the point that it is out of order.

The CHAIRMAN. The point of order is overruled.

The Clerk resumed the reading, as follows:

The "early birds" have divided the spoils among themselves and now propose that you shall go through the silent, senseless, and insipid rôle of muttering the "aye," "aye," "nay," "nay," of trained animals.

As is well known, the Democratic minority leader is not responsible for the existing condition. The "frame up" is not the work of the ranking Democratic member of the Ways and Means Committee. It is not the work of Democratic leaders.

It came about in this way: The country rebelled at the arbitrary use of power by the Speaker, and following the recent election the minority Members of the House, or at least a majority of them, reached a tacit understanding that there should be a change—that the next Speaker should be stripped of the power to appoint the committees. And then it was thought best to have a caucus for January 19, in order to elect a tentative Ways and Means Committee to begin preparatory work on the tariff. At this juncture certain enterprising Members conceived the bold idea of usurping the powers which it had been tacitly agreed should be taken from the Speaker. They began to promote the scheme which is to be served up stale to the coming caucus. There were a mere handful of them. They were each playing for a strong committee place. They issued 50 per cent of the stock to themselves, as promoters, to start with—

[Laughter and applause on the Republican side.]

and used the remaining 50 per cent of the stock to lull certain restless Aguinaldos who exhibited signs of revolt.

[Laughter and applause on the Republican side.]

The uninitiated were handed various-sized allotments of B. S. (base sediment)—

[Laughter and applause.]

and all went along as merry as a marriage bell. As usual in such cases, the early bird got the worm. A high premium was placed upon the active art of canvassing.

After much trading, logrolling, and some intimidation, the early birds think they are safe.

The deck from which they propose to deal themselves all the good hands has been cunningly stacked and placed in cold storage. All that remains for the caucus to do is to ratify what the early birds have already evolved from the traffic of the cloakroom and secret conclave.

What a farce for the Representatives of the people to go into caucus like a solemn menagerie of trained animals and mimic those who deliberate, cogitate, and act. What an insult to Members to invite them into caucus and then, before the day of the caucus meeting arrives, to "hog tie" and "hamstring" the gathering in advance and impudently publish the result three weeks before the meeting. Many of the new Members-elect to the Sixty-second Congress were called upon to make a sacrifice to come to Washington. They have not yet been placed upon the pay roll. No mileage is at their disposal. They were called upon to lay aside their private business, pay their own expense, and journey to the National Capital to engage in a caucus for the party's and the country's good. These 84 new Democratic Members are the net result of the recent victory. They represent some 20,000,000 of people, who decided at the last election, for the first time in many years, to make a change. These 84 have been called to caucus with unusual haste, under the pretext that the party needs their advice and counsel at a time so unusual. What an insult to these Representatives of the people to find upon their arrival in Washington that the early birds, the energetic canvassers, have already, and without consulting them, disposed of the entire matter. Thus will able and patriotic men, many of them vastly superior in wisdom to the early birds, undergo the humiliation of having a cut-and-dried program rammed down their throats with a rush and haste that is barely decent.

The last election witnessed the reappearance of the Democratic rooster after many years of exile. Some of these new members are as game birds as ever donned a spur or plucked a feather in the cause of Democracy, yet the entire 84 are to be politically caponized before they even have time to fly into the Capitol barnyard.

[Laughter and applause on the Republican side.]

It is confidently asserted that the authors of the "frame up" will not tolerate even the appearance of caucusing. They have decreed that discussion shall be limited and formal. Their cut-and-dried program, which is intended to shape the party policy for three years in advance, is to be rushed through with such lightning speed that Members will sit gaping in their seats at the stupendous presumption of the entire performance. The early birds are already boasting that it will not require exceeding 60 minutes to rush the job through the caucus.

In meditating upon this arrogant piece of political legerdemain it is well to remember that our leaders are the victims rather than the progenitors of it. The leaders are striving for harmony and peace in the party. The early birds, taking advantage of the disposition of loyal Democrats to keep the peace in the party, have assumed the rôle of dictators and distributed to themselves all the important committee places. They have already cast lots for the garments of Joseph, while that nimble prophet is yet hammering away in the corn marts of Egypt.

[Laughter and applause.]

They have partitioned the provinces of Cæsar some months in advance of the ides of March, and without waiting for the deadly result of the rent which the envious Casca made.

Pretending to emancipate the House from the power of the Speaker to appoint committees, these self-sceptered rulers have donned the imperial purple and presume to take upon themselves by strategy and intrigue those powers which they so loudly declared were not safe in the hands of the Speaker, duly chosen by the House and responsible alike to the country and to those who elevated him. These early birds bid us strip the Speaker of power almost a year in advance of his induction into office, and while we are yet deliberating upon that proposition they contrive, by secret trades and silent accommodations, to throttle the House with a tyranny unrelieved by gratitude and unrestrained by responsibility.

[Laughter and applause on the Republican side.]

Just as soon as it was tentatively agreed that the Speaker should be stripped of the power to appoint committees, and long before the Members-elect to the Sixty-second Congress could get to the caucus to deliberate and decide, these enterprising emancipators had forged for the House a new set of chains more galling than those we now wear. They told us we ought not to have a boss in the person of the Speaker, and when they were well advanced with that argument, and it seemed to appeal to the Democratic Members, they set about with secrecy and intrigue to give us a new master for the old. The old master would have been a leader in the open; the uplifted sword would have been accompanied by the form of him who drew it; he would have been the product of the Democratic majority, responsive to its will and responsible to the country; he would have owed his power to you and me and his heart would have warmed with the gratitude which all good men feel toward those who bestow preference and renown. If he became a tyrant you could have deposed him. But what must be said of those Catalines incognito whose hands alone are seen, and those hands demanding the sword of power? Have you seen the face of him into whose hands you are invited to place the sword? Is his the benign countenance of Antonine and Washington, or the cruel leer of Jeffries and Robespierre? To whom are these early birds, these Catalines in miniature, responsible? Do you know who they are? Will they feel the warmth of gratitude to you who were never consulted? Do they owe you anything? It is idle to suppose that the "frame up" is the result of chance or spontaneous combustion.

Amid the maze of the picture puzzle you will look in vain for the face of the man. The hand stretches forth; Punch and Judy dance; Punch is jerked from your view; Judy dances alone; Jack is made to march up hill, and Jill is sent tumbling down; but the face of him who nimbly pulls the string is concealed. In North Carolina the man who pulls the string from behind the curtain causes the tail to wag the dog most vigorously. In Ohio the dog can't even wag his own tail.

[Laughter.]

We peer into the darkness, wondering and guessing what manner of man it is behind the vale who thus converts men and States into jumping jacks and political contortionists.

Fellow worms—

[Great laughter.]

when you place power into these unseen hands you are childish not to expect them to wield that power in conformity with the bargains they made to obtain it. If you suffer them to rise upon your inert stupidity, they will but follow the beaten paths of usurpers in all ages by ruling you with contempt and disdain. They were not elevated by you. They owe you nothing. They feel no gratitude to you. The great coup d'état by which they became your masters was planned and executed without your aid or counsel. When you bow down before these self-made successors of Cæsar and supplicate them for recognition, they will feel for you none of that gratitude which the Speaker would have felt. The Speaker would have been clothed with power by your orderly delegation. This enterprising committee of safety incognito arrogantly proposes to usurp that power. They are the secret self-elected legatees of the will of Cæsar. Beware of their secret proscription lists; don't be shocked if numerous Ciceros, ever faithful to Octavius, find their tongues amputated to appease the hate of Antony. Usurpers owe all to themselves. They occupy the seat of power as the reward of audacity.

You will be surprised when you come to know what a handful of men have put up this job on the caucus. If you knew how few and weak they are and could behold an inventory of their bargains and sales—the means by which they did ascend—the slate would break with a crash and the cold deck be returned to storage as a memento of abortive usurpation.

Not one-tenth of the Democratic membership was consulted by the junta. Practically none of the new Members were consulted. In usurping control of the Sixty-second Congress almost a year before it convenes, the intriguers followed no set of principles and were guided by no chart except self-elevation. True, they started out with the pretense that they wanted a Ways and Means Committee with a prescribed set of opinions on the tariff question, but when they encountered opposition the junta did not hesitate to trade a place on the committee as the price of conciliation. They distributed rewards to those who stood with them in views, and they were equally liberal to those who stood against them with votes; the loquacious coadjutor was rewarded in proportion to his dexterity as a canvasser, and the pugnacious malcontent received equal rewards, lest he disturb the peace and endanger the junta. In order to get the required votes the junta has bestowed already practically all the committee places which would fall into its hands at the conclusion of a successful conspiracy. As usual, the grossest and most incongruous deals have been effected. In the Sixty-second Congress you may expect to find many modest but able men entirely neglected, while verbose canvassers and slick schemers sit in high places. A cabal knows no conscience. A usurper feels no

responsibility. The true conspirator is the soul of impudence. Hope and fear are his weapons. He frightens the weak and fixes the strong.

No greater insult has ever been offered the representatives of the people than this cut and dried slate impudently stuck under the nose of gentlemen for quick action.

And Members should bear this in mind: As a party Democrat you have a perfect right to protest now and in the caucus. But when the caucus acts you must ever after hold your peace. Don't you think we had better go slowly and take plenty of time?

The Members of the present Congress are already in Washington in attendance upon the Congress, and it will be no great hardship upon them to attend a series of caucuses. The new Members, having laid aside their private business and come to the caucus under the belief that their advice and counsel was wanted, would no doubt rather remain several days and take part in the deliberations of a real caucus than be insulted and humiliated by finding upon their arrival that they were sent for without being wanted.

[Laughter on the Republican side.]

It looks like a cruel piece of mockery to call these 84 Members-elect to caucus and coolly inform them that their thinking and acting has already been done for them by a cabal. Out of a decent respect to the Democratic Members-elect to the Sixty-second Congress there ought to be at least a show of caucusing. The incoming 84 new Members represent that part of the country heretofore largely Republican. They are coming to advise with us and tell us what the millions they represent demand. The caucus should at least have enough respect for these 84 to go through the form of deliberation. Instead, it is proposed to settle the tariff policy of the party by snap judgment.

Worms who feel inclined to turn will be given an opportunity at the caucus.

[Laughter.]

There are some Members of Congress whose self-respect will impel them to enter a protest. Some of these gentlemen have been in the House a long time and some of them for only a brief period. But even new Members can vote, and unless we are in search of masters with masks on we had better exercise that privilege at the caucus. Speak now or forever after hold your peace. Do you promise to take these men (names unknown) to be your lawful and duly booted and spurred bosses, and uncomplainingly to bow down before them in lieu of the Speaker? Will you bootlick and obey them, never allowing even a sense of manhood and duty to come between you and they? If you are prepared to respond in the affirmative, the symbol of the union shall be a ring in your nose, and I pronounce you master and slave.

Very respectfully, MARTIN DIES.

SECOND TEXAS DISTRICT.

[Laughter and loud applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WEEKS. I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, before the inauguration of the Rural Free Delivery Service all the inland transportation of the mails for the supply of post offices not situated on railroads was provided for under four-year contracts. These inland country routes were designated on the department registers of routes by a star; hence they came to be known as star routes. Formerly every congressional district, outside of the large cities, contained star routes, but with the inauguration of the system of rural free delivery the star routes were abolished in all thickly settled portions of the country and rural routes substituted therefor to such an extent that in a majority of the congressional districts of the country the star route is only a memory; hence a great majority of the Members of this House have ceased to have any direct interest in this important class of mail service.

In the far West, however, particularly in the intermountain west, the star route is an exceedingly important feature of the mail service. In the State which I have the honor to represent on this floor there are 151 star routes, some of them more than 100 miles in length, while there are but seven rural free-delivery routes. In the days when star routes were general throughout the country all Members of Congress, except those from the city districts, were interested in them. With the substitution of the rural route for the star route, it is but natural that Members from districts where rural routes are practicable and have been generally established should lose their interest in star routes, so that there are but comparatively few Members who still have a lively interest in the star-route service. It is perhaps not to be wondered at, therefore, that in the urgent demand for rural routes the department has in a measure lost sight of the fact that the star route, in the regions in which it is still in operation, is just as important as it ever was and just as much entitled to the favorable consideration of the Government.

Formerly the star routes were operated by a few contracting syndicates, but the evils of this system were so apparent that the department finally succeeded in putting an end to the syndicate system and placing the routes in the hands of local contractors. This resulted in much better service, and necessarily increased the cost of carrying the routes, and with the increasing value of horses, rate of wages, and price of feed this increase in cost, while small, has been continuous in spite of the most determined, and I believe altogether overzealous, effort of the department to keep the cost down.

So zealous has been the department in its effort to economize in this class of service that after the estimates were made last year for the present fiscal year the department reduced their original estimate transmitted to the Post Office Committee by $140,000. Knowing the condition in the western country, where most of the star routes are located, I earnestly protested against this reduction, and succeeded in getting an increase of $100,000 in an amendment made on the floor of the House after an earnest appeal to the committee to still further increase the amount. That the amount thus appropriated was too small was soon demonstrated, as I had predicted that it would be, and this condition of affairs resulted in the adoption by the department of a policy of parsimony and retrenchment which, in my opinion, can not be justified, and, as the members of this committee are awate, I have been making the most earnest effort to get the department to modify that policy. I wish to express my thanks to the members of the Post Office Committee for having in the present bill increased the appropriation above the estimate at my earnest solicitation.

I have on a number of occasions on the floor of the House spoken in behalf of the star-route carrier, and often protested against the policy which persists in beating down, by successive advertisements, by serving notice that a contract will not be let unless a bid is received that suits the department, and at a price below what the service is worth. There can be no justification for a system which under contract compels men to carry mails over rough country roads and in the mountain districts at a price per mile considerably less than the Government pays the rural carriers for service over good roads and in a country where all supplies are comparatively cheap.

It is true that the cost of the rural routes, even at the lowest possible rate, is oftentimes, in fact generally, much greater than the return in cancellation from the offices supplied; but this is not a valid reason for denying the establishment of routes or for compelling contractors to supply them at a rate below a living wage. The strongest argument, in fact the only valid argument, for maintaining the postal service as a governmental institution, is that it is the duty of the Government to supply a reasonable postal service to all the people, even though the outlying lines do not pay on the basis of the local cancellation. The postal laws contemplate and the Congress desires that any considerable settlement of people, no matter how remote be their location, shall be supplied with mail facilities—shall have a mail service of greater or less frequency. Personally, as the Representative of the people of my State, I shall continue to insist upon a reasonable mail service for every community in the State, and as I believe the Postmaster General is in harmony with this view, I anticipate less difficulty with regard to this class of service in the future than we have had in the past.

RURAL PARCELS POST.

The discussion of star routes leads me to the question of a local or rural parcels post, a bill for the establishment of which I recently introduced and the provisions of which are as follows:

A bill (H. R. 29710) providing for the establishment of a system of local parcels post.

Be it enacted, etc., That the Postmaster General be, and is hereby, authorized and directed to establish a system of local parcels post, as hereinafter provided, and to formulate and prescribe such rules and regulations under which such system shall be conducted as may be deemed necessary.

SEC. 2. That the said local parcels post shall be confined to and consist of the transportation and delivery of articles and parcels of merchandise and matter not exceeding 11 pounds in weight, over all rural free-delivery and star routes.

SEC. 3. That the rate of postage on all articles, matter, or parcels entitled to transportation and delivery under the provisions of this act shall be: On parcels up to 3 ounces, 1 cent; over 3 ounces up to 6 ounces, 2 cents; over 6 ounces up to 9 ounces, 3 cents; over 9 ounces up to 12 ounces, 4 cents; over 12 ounces up to 1 pound, 5 cents; for each additional pound or fraction thereof, 2 cents, making the rate on an 11-pound parcel 25 cents.

While the bill which I have introduced does not contemplate a general parcels post, a discussion of the rural parcels post necessarily involves some consideration of the general parcels post. At the outset we should remember that we now have a limited parcels-post system. Assuming, for the sake of argument, that a general parcels post is advisable, our postal system in this regard is faulty in two respects: (1) The rate is too high, amounting to 16 cents a pound for merchandise; (2) it is too limited, as no package weighing over 4 pounds can be transported. The almost prohibitive character of the rate on merchandise up to 4 pounds is realized when we remember that the estimated cost per pound for transportation, sorting, and delivery of mail of all kinds, including letters, is between 8 and 9 cents per pound, and that magazines having a regular circulation only pay a postage rate of 1 cent a pound. In other words, the Government carries the magazines for about one-eighth of the average cost of transporting and handling the mails, while

it charges its citizens who desire to send merchandise through the mails twice the average cost.

Most European countries have a parcels post limited to 11 pounds and with a comparatively low rate, averaging, I believe, about one-half our present rate on 4-pound packages. This is not, it must be frankly admitted, a conclusive argument for the establishment of a parcels post with a larger limit in weight and a lower price than we now have, but the success of such systems is at least a useful object lesson and points to the possibility of such a system here, with such modifications as may be necessary on account of the vast distances that mail travels in our country.

There has been a persistent agitation for the establishment of a general parcels post in this country for many years. The Post Office Department has been favorable to it in one form or another for 20 years or more. A former Postmaster General gave it as his opinion that there were five reasons why we did not have a general parcels post in this country, and he named as these reasons the five great express companies which practically monopolize the express business of the United States. I am not prepared to say just how near that statement approximates the truth, for it must be remembered that the express companies do not under any circumstances openly and avowedly oppose the parcels post. To do so would rob them of their power to indirectly thwart the establishment of a parcels-post system. They very cunningly and adroitly work through various and devious channels, so that the investigator who attempts to trace the opposition to parcels post to its real source soon finds himself in such a maze of cross trails that he loses sight and scent of the sly fox that is undoubtedly responsible for a large portion of the agitation in the political poultry yard whenever the parcels post is mentioned.

During my service in the House I have had so many other matters of pressing importance and interest to my constituents to look after that until quite recently I have had little opportunity to investigate carefully the question of parcels post. I have recently made some study of the subject, and it has led me to certain conclusions—conclusions which convince me I would be derelict in my duty to my constituents if I did not voice. First, let me say that while I am not terrified by names and am not stampeded simply because some one labels a certain movement as being socialistic, paternalistic, etc., still I am by nature and training a thoroughgoing individualist, and from a pretty thorough knowledge of my constituents I believe that in this attitude of mind I reflect the sentiment of a large majority of them. It is my opinion that the people should not attempt to do collectively through governmental agencies, local or national, anything that can be done and performed in a reasonable and generally satisfactory way by private enterprise; that the people should not collectively, through governmental agencies, embark in undertakings or enterprises which are or can be carried on successfully and satisfactorily to the people, as to character of service and cost, by individual or corporate enterprise.

Of course, this general rule is subject to modifications, but still, as a general rule, I think it is sound. On the other hand, a self-governing people who decline to enter upon a field of enterprise or service which is not satisfactorily occupied or which experience teaches will not be satisfactorily occupied by private enterprise as to service or prices, simply because some one raises the bugaboo of socialism or paternalism or what not, are sacrificing their financial interests, their personal comfort, their individual liberty, through illogical fear of a phantom which has no real existence.

Frankly, the parcels post is in a measure a substitution of a governmental agency for a private agency which we call the express business. It proposes a further extension of governmental activity into a field now occupied by private enterprise; and, under the rule which I have stated, there would be neither necessity nor justification for invoking the collective activities of the people through their Government for this further incursion into the field of private enterprise, if private enterprise occupied the field and rendered the service in a satisfactory way either as to the character or the cost of the service.

HAVE WE SATISFACTORY SERVICE NOW?

The question, then, which lies at the foundation of every discussion of the parcels post is simply this: Have the express companies given the people a service in the carrying of small parcels of merchandise, where expeditious delivery is desired, that has been generally satisfactory as to the character of the service and charges? I believe that outside of the large centers of population, where there is some competition, the almost unanimous verdict will be that they have not. The question, then, might properly be asked, Is there any probability of any improvement in the character of the service and such reductions in charges as will render the service reasonably satisfactory? If the future is to be judged by the past, we will have a practically unanimous verdict of "no" on this question also.

It is true that we have brought the express companies under the jurisdiction of the Interstate Commerce Commission, but it is also true that with a few exceptions the patrons of express companies are not generally in position, financially or otherwise, to inaugurate or carry on proceedings to test the character of the service or the reasonableness of rates.

PROFITS OF THE EXPRESS BUSINESS.

What are the facts with regard to the express business and express companies in this country? Starting in with very limited paid-up capital, through their connection with certain great railway lines and by reason of the enormous expansion and development of the country, to which they have contributed nothing, the stronger express companies have gradually put their weaker competitors out of business, so that five great companies now do most of the express business of the country. They have raised rates to such an extent that they have been put to their wits' ends to know how to divide their earnings among their stockholders without unduly arousing the public to a realization of the extent to which it is being plundered. Not even their almost unlimited watering of stocks and the payment of big dividends on this stock has sufficed to absorb their enormous earnings, and even in the face of the danger of arousing a hostile sentiment they have been compelled to resort to the most stupendous "melon cuttings," as they have been facetiously termed, in order to distribute the millions they have collected through their extortionate rates.

In order to fully realize just what express rates are between given points, one must pay a few express bills, for the published rates per 100 pounds tell but a small part of the story, though they are high enough in all conscience. For instance, the rates on merchandise from New York to Rock Springs, Evanston, Lander, Sheridan, Basin, Cody, and Newcastle, Wyo., are from $9 to $10.50 per 100 pounds; from Chicago to the same points, from $7 to $8 per 100 pounds; from Omaha to the same points, from $5 to $6 per 100 pounds. But these rates are modified by a curious and complicated system of classification, and they apply only when charges are prepaid. On smaller shipments of less than 100 pounds—and most express shipments are—the rates are much higher than the rate per 100. Rates are also higher when the value of a package exceeds $10. On small packages of merchandise the rate is 1 cent per ounce, which is a rate of 16 cents per pound. Furthermore, under the complicated system adopted by the express companies the rate is considerably increased if the article is carried over two or more lines, so that when all of the various provisions, limitations, classifications, and ratings are applied to a particular shipment, especially a small one, the rate is often more than twice the rate per 100 pounds, and, in addition, the service is far from satisfactory in many respects.

HOW THE DEMAND CAN BE MET.

There is just one way in which the demand for a general parcels post can be met other than by the establishment of such a system; that is, by the reduction of express rates all over the country to a reasonable basis and an improvement of the service. If the express companies were furnishing our people with this service at reasonable rates, were giving them prompt deliveries and satisfactory service in all respects, I should not feel it my duty to urge the extension of the governmental parcels post. But the service is unsatisfactory in many ways. The complaints of double charges, of demand for the payment of charges at the point of delivery where the express had been prepaid, are so frequent as to constitute a scandal which ought not be tolerated.

The question before the American people is simply this: Are they content to allow a defiant monopoly to mulct them for "all the traffic will bear," to charge them outrageous rates and give them unsatisfactory service, for all time to come, when they have it in their power to put an end to that sort of thing?

The use of a bogy man to inspire terror is not by any means confined to dealings with children; more grown men and women have been stampeded into doing things contrary to their interests by bogy men than in any other way.

The use of bogy men is an ancient and honorable custom of all classes of people who have no real, sound, and substantial arguments to advance, and therefore must use scarecrows and straw men to frighten people into taking positions harmful to their own interests. I remember once expressing surprise to a gentleman from West Virginia on the election of a low-tariff

man, almost a free trader, over a protectionist from a southern district whose industries were largely dependent upon a protective tariff for their success. He said:

Evidently you don't understand the way they do it down there. We go into a campaign talking protection. The other fellow sometimes attempts to answer our arguments, but the moment he sees there is danger of his losing in the argument he drops the tariff, begins to "holler" about "nigger domination," and immediately a great number of people forget all about their real interests and vote the other ticket through the unreasoning and unreasonable fear that in some way the election of our ticket threatens "white supremacy." That is the southern bogy man. He has been trotted out in every campaign for, lo, these many years, and though he is getting worn and threadbare and the sunlight of sense and reason shows through his poor, dilapidated body, he is still a reliable scarecrow in the back districts.

THE EXPRESS BOGY MAN.

The express companies, lacking in ingenuity to invent anything new, fall back upon the old moth-eaten plan of the bogy man, and their bogy man is labeled the "Mail-order houses." They stuff him with sophistries, pad him with lies, clothe and adorn him with half truths and misrepresentations, shoe and crown him with stupid, alleged arguments, and, through various and divers agencies, themselves keeping discreetly in the background, they pull the string that dangles him, with all his fearsome features, before the eyes of the merchants in the country towns.

The game has been played a long time and with considerable success. Many of the people who have echoed the bogy cry of the express companies, many of those who have helped dangle their bogy man, have been perfectly honest, and the effect on the country merchant has not been altogether produced by appealing to his selfish interest by any means, but by reason of the fact that all classes of a community realize that anything that would seriously and permanently injure the prosperity of the local merchant, which would seriously disarrange our system under which communities are largely sustained and the entire country vastly benefited by the presence of the local merchant, would be an injury not less to the citizens generally than to the merchant himself. And that brings us squarely to the proposition, Would the lowering of express rates injure the business of the local merchant, or, if it had any injurious effect whatever by encouraging small shipments by the people, would or would not any such effect upon the local merchant be more than offset by the direct benefits which would come to him from lower rates on his own shipments, and the indirect benefits which would come to him through having the community relieved from the present burdensome express charges and thus its purchasing capacity increased?

Some people say that as the lowering of express rates would be of great benefit to the people generally, we should not especially consider its effect upon the local merchants; but I am not only willing but anxious to consider him, for to my mind the local merchant is a very important member of the community. He is called upon to contribute largely whenever there is to be a county fair, church fair, horse race, or ball game; he is expected to bear a heavy proportion of the burden when a new library is to be started or a church built, and he is supposed to be able to bear about all of the burden when there is some enterprise on hand to extend the business of the community, so that the interests of all of us are, in a way, bound up in the interest of the local merchant.

I take the position that no one is so much interested in having low express rates as the local merchant, and that nothing that could be done would be so helpful in enabling him to meet the competition of the so-called mail-order houses as low express rates, under which he could secure cheap and prompt delivery of goods required by his customers which he does not carry in stock.

But no doubt some one will suggest it is not express rates we are discussing, but the question of parcels post, and to this suggestion I again reply that the question of parcels post is an express question; and that it is is evidenced by the fact of the activities of the express companies, exerted through divers and devious channels, to prejudice the public mind against the parcels post.

It is true that the establishment of parcels post would not put the express companies out of business, for a great proportion of their business consists of shipments in excess of the limit of 11 pounds, which is the generally accepted limit for parcels post. Furthermore, the express companies would still have the carrying of perishable goods which could not be carried by the parcels post. But the parcels post would affect the express business by the competition which would be established in the carrying of that class of matter upon which the express companies now make the most money, to wit, small packages of merchandise. And that competition, by compelling lower rates on that class of goods, would necessarily compel the reduction in rates all along the line.

The parcels post would be utilized within its limits by all classes of people. The probability is that the merchants of the small cities and towns would utilize it to a greater extent than all other classes of people, and to their very great advantage. With the reduction of express charges, with the opportunity of using the parcels post in their business, the local merchant would be, in my opinion, the greatest beneficiary of the service directly, as well as sharing in the indirect benefits to the entire community.

OTHER OPPOSITION TO PARCELS POST.

I do not want to put the entire blame for the hidden, circuitous, and indirect opposition to parcels post upon the express companies. There is another class of people who are opposed to parcels post who do not directly show their hands. They are the firms and corporations who send out a very large letter mail, upon which they pay 2 cents for every half ounce. The average citizen who only writes an occasional letter does not realize how heavy the burden 2-cent letter postage is to people who send out great numbers of letters.

There are many large concerns, like the mail-order houses for instance, promoters, jobbers, and dealers in special extensively advertised lines, whose actual letter postage amounts to many thousands of dollars a year. Such people naturally oppose any change in the postal service which might increase the postal deficit, even temporarily, because of their anxiety to have the letter rate reduced. The yearly income of the Post Office Department from letter postage is about $132,000,000, and it is said that some mail-order houses pay several hundred thousand dollars a year for letter postage. A reduction of that by half would be well worth working for.

It would not be fair in the discussion of this subject to overlook the fact that there are arguments against the establishment of a general parcels post which are advanced in perfect good faith and which are entitled to serious consideration. Those local merchants who have some misgivings about the matter are entitled to have their views carefully considered, but, as I have indicated, it is my opinion that in the main their fears are not well founded, and arise largely from the fact that they have not had an opportunity to give the matter their personal consideration, and therefore have been inclined to accept the arguments of interested parties. There are also a considerable number of people who are honestly opposed to the parcels post in the belief that it is an unwarranted extension of Government activities into a field which ought to be satisfactorily covered by private enterprise, and who still hope that the express service may be so cheapened and improved as to very largely satisfy the demand for a parcels post. There are also those who feel that owing to the vast area of our country it would be difficult to adopt a system of parcels post which would be generally satisfactory and at the same time self-supporting.

The argument is also made that the handling of a large amount of merchandise by the postal service would make delivery difficult where city delivery is provided, and delay the transmission of letters by the loading of the mails with merchandise.

These arguments do present problems which must have serious consideration. They are none of them, however, in my opinion, problems which are insurmountable, but a consideration of them, as well as of that character of powerful opposition exerted indirectly to which I have referred, leads thinking people to the conclusion that the outlook for the establishment of a general parcels post in the country in the near future is far from promising. With this as with all progressive legislation, little progress will be made until the people as a whole become thoroughly interested in the subject, quite generally make up their minds what they want, and in no uncertain tone make their wants known.

So long as only those who are opposed to the extension of the parcels post are generally heard from by Members of Congress, there is not much likelihood of definite action being taken, and the probability is that in any event a general parcels post in this country can only be secured through the medium of a modest and limited and more or less experimental beginning in the way of a local or rural parcels post.

LOCAL PARCELS POST.

President Taft in his last annual message recommended a parcels post limited to rural free-delivery lines. This recommendation was made on the ground of economy, to meet the opposition aroused by the argument that a general system would create a great deficit in the postal revenues, for a time at least. The local system would also have the virtue that it would furnish an object lesson in a partial and limited way, which might be valuable in determining the propriety of further

extending the system. There is, furthermore, an argument for rural parcels post which does not apply in the same degree to a general parcels post, and that is that while the dwellers in cities and towns have ready access to stores and opportunities of express service, the dwellers in rural communities do not have these advantages, and therefore a rural parcels post which would enable them to have articles delivered on local routes or to local post offices would be of great benefit and advantage to them. As we do not have many rural free-delivery routes in our sparsely settled intermountain country, I am of the opinion that a rural parcels post, if established, should also operate over the star routes which supply our country offices and our people in boxes en route, and therefore the bill which I introduced provides for such a service.

Such a rural parcels post as is thus proposed would unquestionably be helpful in building up the trade of the merchants in the small cities and towns and of very great value and advantage to the people who get their mail at the country post offices and along country routes. This being true, I supposed I would avoid much of the storm of opposition which those who have advocated a general parcels post have heretofore encountered. Much to my surprise, however, the onslaught against this very modest proposition, intended to help the local merchant and the people of the country, has been even more terrific than the outburst against the general proposition; all of which makes one fact as clear as the noonday sun, and that is that the opponents of a parcels post realize that the local parcels post, if it works well and is generally satisfactory, will be the entering wedge for the general parcels post. It also illuminates quite as clearly another fact, and that is that the opponents of parcels post believe that the rural parcels post will work well and be generally satisfactory. Another important fact emphasized by this opposition is that the opponents of parcels post believe that the agitation for a local parcels post is much more dangerous than the agitation for the general parcels post, because it is more likely to be successful. The gentlemen who have been spending their money so liberally in opposition to the local or rural parcels post have thus made clear three important facts:

First. They believe that there is a strong probability of a local parcels post being established.

Second. They believe that such a system will work to the satisfaction of the people.

Third. They believe that, the local system having proven satisfactory, it would lead to the establishment of a general system.

In this condition of affairs it would seem that it is the duty of the friends of a parcels-post system to get behind the President's suggestion of a local parcels post enlarged so as to include star routes and country offices.

Some one is spending a lot of money to defeat the rural parcels post. One way they are doing it is by sending out petitions by the tens of thousands, which they ask the local merchants to sign and send to their Congressman. I have received hundreds of these petitions. They have various sorts of headings, printed in various kinds of type, but they are nearly all alike, and as follows:

To the honorable ——— ———,
Member of Congress, Washington, D. C.:

The undersigned respectfully protest against the enactment by Congress of any legislation for the establishment of a rural parcels-post service for the following reasons:

1. It would foster the development of an enormous trust, create an oppressive monopoly, severely affect the prosperity of all country towns, seriously injure tens of thousands of jobbers and country merchants, drain the rural communities of their capital and population, aggravate the evils of centralized wealth and congested cities, and benefit no one but the great retail mail-order houses in the big cities, and the express companies. With the decline of the country town, the farmers' local market would be destroyed, educational, social, and religious privileges would be seriously deteriorated, and country-town realty values so depreciated that a much heavier burden of taxation would be thrown upon the farmers' already overburdened shoulders, while no compensating advantages might be expected from the Mail-Order Trust.

2. In every country town catalogue agents of mail-order concerns would establish themselves. They would need no stores, pay no rent, employ no clerks, require no credit and give none, and carry no stock. Their whole time would be devoted to soliciting orders from catalogues. The merchandise would be shipped to them by express or freight from the retail mail-order houses in the large cities. When received, it would be deposited in the local post office and the packages delivered by the rural carriers. The Rural Free Delivery system, inaugurated for the educational advancement of the people, would thus be subverted from its original purpose, and would become a mere instrument in the hands of the great mail-order houses for the development of the most oppressive trust that human ingenuity could devise—the Mail-Order Trust—a trust that could eventually control all sources of supply and all channels of distribution for everything the people must eat, wear, and use in their daily lives.

3. No one but the retail mail-order houses, dealing in all classes of merchandise, could maintain a local catalogue agent and solicitor in a town. They would thus be given a monopoly of the commercial advantages of this new system of merchandise delivery by the mail carriers on the rural routes. Many country merchants would be destroyed and all others seriously injured by this competition. They could not meet it because they could not afford either to print the catalogue or carry the enormous stock necessary to meet the aggressive inroads that would be made into their trade field by these local agents and solicitors for the retail mail-order houses in the big cities.

4. A rural parcels post would heavily increase the annual deficit of the Post Office Department. All rural carriers who are now equipped only for the rapid delivery of mail would have to be equipped with facilities for carrying freight and merchandise in large quantities. The increased cost of equipment and service would be so great that no one can foresee the limit of it. A rural parcels post would entail upon the people at large practically all the evil consequences that would come from the adoption of a general parcels post in the United States.

I wonder who the people are whose hearts are bleeding so for the farmers, whose anxiety for the growth and prosperity of the "country town" is so great that they spend valuable time and wads of money in this altruistic effort to save the farmer and protect the country village. They all live in New York, Chicago, or some other such "rural community," and have not heretofore been distinguished for the practice of sitting up nights and working overtime to help the farmer and build up the country town.

I have read this petition carefully, and I think it is about the most transparent and flamboyant piece of buncombe and flapdoodle I have ever read. It would take much more time than I have at my disposal to do justice to this precious document. As an overdone sample of the jargon of the typical New York or Chicago "bunco man" playing a "come-on" game with a stranger from the country it is a jewel. A most cursory reading of it discloses what a blatant and insolent attempt it is to mislead those who read it hurriedly. It does not require an answer; its ridiculous extravagances answer themselves.

In order, however, that no defender or apologizer for this lovely piece of literature, if any there be, may have an excuse for saying I have not answered the alleged arguments contained in this "dope sheet," I will make a brief observation with regard to the only point which they seem to attempt to make. After having in the first paragraph drawn a dreadful picture of the awful disaster and destruction which the rural parcels post will bring to the farmers and to the country towns, in whose behalf they weep and wail—a destruction compared with which the devastation of Sodom and Gomorrah would be as the passing of a summer zephyr—they tell us how all these direful calamities are to come, as follows:

In every town catalogue agents of mail-order concerns would establish themselves. They would need no stores, pay no rent, employ no clerks, require no credit and give none, and carry no stock. Their whole time would be devoted to soliciting orders from catalogues. The merchandise would be shipped to them by express or freight from the retail mail-order houses in the large cities. When received it would be deposited in the local post office and the packages delivered by the rural carriers.

The only trouble with this lovely piece of sophistry is they fail to explain to us why the very game they describe can not be worked just as well now as it could after a rural parcels post had been established. There is nothing in the world to prevent just the sort of a plan, which is thus held up to our horror and execration, from being carried out now, except that it would not pay. The mail carriers on rural and star lines not only have the authority, but they would be very glad to have the opportunity of delivering packages along their routes which solicitors for catalogue houses might deliver to them. And, furthermore, they can now, no doubt would be glad to, take packages of any size; whereas a rural parcels post only provides for packages up to 11 pounds. So, when you come to analyze it, this "local-solicitor-of-the-mail-order-trust" bugaboo is found to be just another one of the straw men, the poor miserable scarecrows, that the express companies are trying to terrify us with.

The mail-order houses claim they can sell cheaper than the local merchants because they do not have any local expense. The moment they are called upon to pay for the services of a local agent their expenses are greater than those of the local merchant. I think this disposes of the "local-agent bogy." He is the most transparent of all the scarecrows the express companies have raised. And speaking of scarecrows reminds me that in the very antiparcels-post literature the express companies are paying for they cunningly—I have no doubt they imagine—warn the people against the express monopoly. Like that other stupid bird, the ostrich, they lose sight of the fact that the more they endeavor to hide themselves by burying their head in the sand the more the posterior portion of their anatomy protrudes. I do not, of course, know positively that the express companies are paying for all of the antiparcels-post literature which is being sent out, but I venture a guess that the people will pay for a large portion of it when they pay their express bills.

OTHER WELL-PAID OPPOSITION.

But the efforts of the express companies, working, as I have said, through devious channels and finally reaching many honest and well-meaning men who have not the time to investigate, is not confined to the document referred to. A gentleman who, when I last heard from him, was working several transcontinental railways to the tune of $50,000 a year has been devoting his acknowledged talent to the task of writing pamphlets, editorials, and articles containing verbose and perfervid alleged arguments against the limited parcels post. Others whose genius was a short time ago employed in making arguments against the establishment of the rural free-delivery system are now taxing their gray matter and straining the dictionary in the preparation of phillipics to hurl against this frightful monster, the local parcels post, which, if you are to believe them, is a menace compared with which the locusts of Egypt, the bubonic plague, the cotton-boll weevil, and last winter's storms and last summer's drought, all rolled into one, would be as harmless as a fleabite.

As a countryman, a dweller all my life amid rustic scenes and in country villages, I would be lacking in appreciation to a degree beyond forgiveness if I did not acknowledge with profound gratitude the new-found and redundantly expressed sympathy which the talented gentlemen employed by the express companies have poured out upon us as their prophetic eyes gaze, tear-filled and horror fixed, over the desolation which is to come over the land and the destruction and impoverishment which is to smite its people in the days when the Government shall be so unmindful of its duties to the express monopoly as to allow the rural mail carrier to carry an 11-pound package to the farmer's door or to the country post office.

With the exception of the good health, stout hearts, and hopeful souls which an all-generous Providence vouchsafes to most of us much of the time, most all good things come high, and the gentlemen whose talents are just now being used by the express companies are, I am willing to bear testimony, the best things in their line. They must cost real money and lots of it. But evidently the game is believed to be worth the candle, for they are playing it to a standstill, fondly imagining that they can win the pot on a bobtailed flush. Perhaps they can, but I doubt it. Some of our people have a slight acquaintance with the game in which the bobtailed flush figures, and they will ultimately realize how huge the bluff is and how little there is behind it.

The fact is there is only one class of people on earth who have any valid reason to object to the rural parcels post extended over the star routes, and they are the star-route carriers. They are good friends of mine. I have spoken for them and of their heroism many times on this floor. If the system proposed should be put in operation during the term of their present contracts, it would, perhaps, slightly reduce the small income they now receive for the carrying of packages, but at the expiration of their present contracts they would be largely the gainers. Nothing has stood in the way of securing a decent compensation for the carrying of mails over star routes so much as the fact that the star-route carrier does have a little income, more or less, generally less, outside of his mail pay. And because the income thus obtained is always magnified it is used as an excuse for keeping the contract price for carrying the mails way below a fair compensation. With the system proposed established the increased pay to carriers would more than compensate them for any loss they might suffer.

In closing I want to emphasize just one thought. Take the State of Wyoming for instance. There are about 150 star routes and seven rural routes in the State. The star routes supply about 210 country offices. No one can deny that a rural parcels post would be advantageous to every patron of these routes or offices, and no one can honestly point out any way in which the establishment of these routes would be anything but helpful to the merchants in towns where the routes originate, and yet because it is proposed to establish this modest system, some of the most high-priced literary soldiers of fortune and journalistic freebooters in the country are employed; thousands and tens of thousands of dollars are spent, not by people living in the country towns, but by somebody living in the great cities, in an attempt to stampede the farmers and stockmen and local merchants into believing that the proposition proposed by men who have every reason to be friendly to their interests is going to involve them and the whole country in calamity and chaos. Is it not very clear, then, that the people who are spending their time and money in this propaganda—I mean those who are at the bottom of it—are actuated by purely selfish motives and not by any love for the farmer or the rural merchant? Some jobbing houses, I am told, have been very active in this work, but I have some doubt as to whether they have generally taken the matter up on their own motion, or are using much of their own money to push it along. I believe that as the people have an opportunity to investigate and study the proposed rural parcels post they will realize its benefits and favor it, not only because it will be of benefit to the local merchant and the people who will be served, but because it will give us an opportunity to study the parcels post operating in a limited way and thus form a more intelligent opinion as to the advisability of a general parcels post.

I desire to print as a part of my remarks an editorial from the Agricultural Southwest, as follows:

RURAL PARCELS POST—DESIGNED SOLELY FOR BENEFIT OF MERCHANTS IN SMALLER TOWNS AND RURAL RESIDENTS.

Postmaster General Hitchcock foresees a general parcels post for the United States as soon as the postal savings-bank system is thoroughly organized. Mr. Hitchcock's present preliminary proposal is to ask Congress to authorize the delivery on rural routes of parcels weighing as much as 11 pounds, which is the weight limit of the international parcels post. He believes that this new service can be instituted with little if any additional cost to the Government. Mr. Hitchcock will also ask that an inquiry be authorized to determine approximately the volume of business that a general parcels-post system would have to handle.

Several bills are pending in the present Congress providing for the establishment of a parcels post limited to the rural free-delivery routes. The House Committee on the Post Office and Post Roads gave a series of hearings on these proposals last spring. At that time interesting facts were discussed, derived from the Post Office Department.

There are now in operation throughout the country 41,091 rural routes, served by 41,008 rural carriers, which cover about 1,000,000 miles of roads traveled daily by carriers, and serve more than 20,000,000 people. The average weight of mail carried by rural carriers is 25 pounds, the load rarely exceeding 50 pounds and then only in cases where intermediate offices are supplied with mail by carriers. As rural carriers are equipped with vehicles, they could, without imposing a hardship on them, carry an additional weight of matter of probably 100 pounds. It is therefore possible to offer low rates for a special local rural parcels post, for the reason that, there being railroad transportation or exchange from point to point, this operation would not involve additional expense and the revenue derived therefrom would be practically clear gain.

The proposed rural parcels post, as contemplated in the several bills on this subject now pending in Congress provides that the reduced rates shall apply only on merchandise which is generally included under the head of four-class mater, and some matter now embraced within the third class, at a rate of 5 cents for the first pound and 2 cents for each additional pound up to 11 pounds, or 25 cents for a package weighing the maximum of 11 pounds.

These rates will apply only on matter mailed at a post office having rural routes for delivery to patrons on the routes or such offices, or to patrons of an intermediate post office on the route, to the local patrons of the office from which the routes start. The local residents and patrons only will be entitled to the low rates of postage. It will be seen that the mail-order houses could not take advantage of the rates, as they are purely local, and apply on local matter only.

It has been claimed that large mail-order houses would establish agencies on the routes, to the great disadvantage of the country merchants, first assembling their orders and dispatching them by freight or express to suitable delivery points. One of the bills pending in Congress absolutely excludes any such agencies from participating in the low rates of postage; but even if such provision is not made, any systematic attempt on the part of a mail-order house to distribute its wares in this manner would not only necessitate the payment of freight charges to the distributing point and postal charges from the distributing point to the buyers, but would necessitate the employment of many thousands of local representatives, and the absence of any sort of agents is the principal feature of the arguments made by the mail-order houses and larger merchants in accounting for the low prices of their goods.

The only way the patrons could be reached by the nonresident merchants would be under the present rate of postage on merchandise, which is at the rate of 16 cents a pound, or 64 cents for a 4-pound package, which is the limit of weight allowed, while the local merchant would have the advantage of a rate of 5 cents for the first pound and 2 cents per pound for each succeeding pound up to 11 pounds, or 11 cents for a 4-pound package, with an advantage in the maximum weight allowed of 7 pounds. It would therefore cost the nonresident merchant $1.51 more to send an 11-pound package than it would the local merchant.

It is obvious, therefore, that except upon such commodities as the mail-order and other large mercantile establishments can now profitably sell and transmit through the mails at the rate of 16 cents a pound, they could not compete with the local merchants in the delivery of their goods if the local rural parcels post were authorized; and, instead of proving an injury to the local merchants, it would prove greatly to their advantage in increasing trade.

At the rate of postage suggested, if each of the rural carriers now in service should carry an average of five 5-pound packages on each trip, having an aggregate weight of 25 pounds and costing 75 cents in postage, the annual income derived would reach the very considerable sum of $9,442,091, which would thereby very largely augment the postal revenues and bring the Rural Delivery Service near to the self-sustaining point.

I also desire to present a well-considered article from Wallace's Farmer, published at Des Moines, Iowa, of December 30, 1910:

SOME FACTS ABOUT PARCELS POST.

The election is over, the smoke of battle has cleared away, the politically dead have been buried, and the wounded are being sent into the political sanitariums or hospitals, these being the appointive offices in which Congressmen who have been repudiated by the people are kept, awaiting a change in the popular mind. People can now turn their attention to a matter of even more importance than most of the issues of the last campaign, namely, the current methods of sending small packages from the producer to the consumer. We shall not get clear ideas on the subject of parcels post until we study the methods by which packages of 11 pounds or less are handled.

In our country the express companies have a monopoly of this business; in fact, a monopoly of carrying packages weighing over 4 pounds. It must not be forgotten that we have parcels post. We have had it for many years, but it is limited to a 4-pound package and the rate is 16 cents a pound. No other country of which we have any knowledge has a parcels post of this limited character and high cost.

In European countries the general weight is 11 pounds, with certain regulations as to size. It may be interesting to study rates in some other countries. The highest foreign rate is in Cuba, where the cost is 10 cents up to 5 pounds and 6 cents for each additional pound. It may be said that Cuba is a small country. So it is, but Australasia is a large country. There are six States in it. Its intrastate rate is 12 cents for 1 pound, 18 cents for 2, 24 cents for 3, and 6 cents for each additional pound up to and including 11 pounds, the parcels rate for this being 72 cents. The interstate rate is 16 cents for 1 pound, 28 cents for two, and $1.36 for 11 pounds. The population of Australasia is only one-tenth as dense as that of the United States.

The most striking feature of the present situation is that the United States has postal treaties with 12 countries or parts of countries in Europe, 9 in South America, 7 in Asia, 3 in Africa, 5 in Canada, and with 9 groups of islands, and you can send packages, up to 11 pounds, to any post office in any of the above-mentioned countries at 12 cents a pound, while our parcels-post rate is 16 cents a pound for any distance, and limits the size to 4 pounds. In other words, a Jap in Omaha can send a package to Japan at 12 cents a pound, while an American in the same city would have to pay 16 cents a pound to send a package to Lincoln. An 11-pound package would cost $1.32 to Japan, but $1.76 to Des Moines—and to send it by mail to Des Moines it would be necessary to make it up in three packages.

Another surprising fact is that the express companies are under contract with the post office department of Great Britain to carry an 11-pound package even clear across the United States for 25 cents, whereas they would charge an American citizen somewhere around $3 for carrying the same package from New York to Seattle.

Another fact: In Europe, where they have parcels post, they have no express companies. The railroads transport all packages above 11 pounds, and do it quite as satisfactorily and at much less relative cost than our express companies here do the business.

It should soak into the minds of both the railroad people and the citizen that the express companies are simply parasites on the railroad business, and indirectly one of the reasons for the plea for advanced rates on the part of the railroads. A lousy calf or pig must have more feed, if it is to thrive, than one that is clean. So much of the nutriment of the feed goes to the louse. So the railroad that is supporting an express company must either have higher rates or give poorer service. The louse thrives whether the calf does or not. That the express companies are thriving is evident from the fact that the Wells-Fargo Co., as shown by recent investigation, earns a profit of about 70.7 per cent on its capital, largely water. The actual profit on the capital that is really invested in the business of the American Express Co. is 105.6 per cent.

Our readers can easily guess why the railroads submit to this parasitism. It will probably be found on investigation that the men who really own the railroads are heavy stockholders in the express companies. The common stockholders may lose by reason of a lousy railroad, but the men who own the express company fatten by the process.

It is worth while looking into the relations between the railroads and the express companies. The railroad has a contract with the express company. The louse has no contract with the pig or calf. This contract generally provides that the express company pay to the railroad about 50 per cent of its gross earnings—to be accurate, 47.7 per cent. In other words, the express companies get about half of the total earnings for collecting and distributing the express packages hauled by the railroads. The rate charged, according to the testimony of express company officials, is about two and a half times the first-class freight rates on the same class of goods to the same point. In many cases, however, investigation shows that they are from three to five times these rates. The express rates are supposed to be based on the rate for 100 pounds. When the rates are attacked, the companies simply reduce the minimum, and in this way have been able to advance their rates very materially during the last 10 years. When a strike occurs among the express employees, as recently in New York, the whole express business of the country is demoralized, involving very heavy losses to merchants and farmers, while parcels-post packages coming by mail from other countries were delivered promptly. In this, as in so many other ways, the people of the United States treat citizens of foreign countries better than their own.

Whenever anything is said in favor of parcels post, the bogie that is brought up to alarm the merchant is the mail-order house. This bogie will cease altogether to be a bogie when we realize that no country that has parcels post is bothered by catalogue or mail-order houses, or at least we hear of no complaint about them.

We studied this parcels-post question pretty thoroughly when on the Country Life Commission, took testimony all over the United States, and we came to the conclusion then that somebody was putting up a large amount of money to defeat parcels post, and making use of it in the way of organizing the country merchants against this movement. Who it is we are not prepared to say or, at least, prove.

We are clearly of the opinion that parcels post would do the mail-order houses more damage than any other interest except the express companies, especially the limited parcels post proposed by the Postmaster General under the Roosevelt administration. By this it was proposed to distribute parcels at a very low rate through the rural carriers on the various routes emanating from a town.

This would enable farmers to order packages from the town merchant without the trouble of hitching up and going to town, at an expense probably less than the trouble of hitching up and the wear and tear on team and wagon. The mail-order house could not possibly utilize this, and the result would be that the business of the farmer would be thrown directly to the nearest town or city from which his rural route issues. It might possibly change the method of doing business in the country towns, might eliminate some of the local merchants, which would be a good thing, for the reason that in many towns and cities there are more retailers than can make a decent living without charging exorbitant prices.

The cry will be made that it would swamp the rural carriers. There are 40,000 of these, and the official reports say that the average weight of mail delivered by each wagon in the Rural Delivery Service is only 25 pounds. The carrier is prepared to take 500 pounds. Now, if by this limited parcels post the rural routes earn $2 for each round trip, the gain would be over $2,500,000, and to make this gain each carrier would only need to take 20 pounds additional, or a total load of 45 pounds.

Rural parcels post—and we believe this should be tried out first on the plan proposed by Postmaster General von Meyer—would enlarge the scope of our present parcels post by raising the limit from 4 pounds to 11, and greatly reduce the rate. It would strike down the monopoly which the express companies now have in transporting everything weighing more than 4 pounds, but mainly it would induce the farmer to deal with his country merchant at a very greatly reduced cost.

The rural mail delivery and the rural telephone have been a wonderful advantage to the farmers of our land, and parcels post would be as great an advantage in many ways as either of these. It would not have been practicable until the rural route system was established and the telephone brought into use. It now follows logically as the third great addition to the comforts of the farm home.

It is time for the farmer to let his representatives in Congress know that he wants them to do business on this matter without any more foolishness.

I also desire to print an editorial from the New England Grocer and Tradesman of December 16, 1910:

PARCELS POST INEVITABLE—WE MODIFY OUR VIEWS AND OUR POSITION AND GIVE REASONS.

After prolonged and thorough consideration, after due deliberation of the question in all its bearing during the past two years, and especially during the past few weeks, we have reached the conclusion that we can not consistently any longer oppose the establishment of a parcels post. As exponents of the interests of the retail trade, we still object to it, but at the same time, as advocates of progress in all things and all ways we do not, as we have intimated, see our way clear to longer stand in opposition to the enactment of a parcels-post law.

We have reached the conclusion that its influence upon the retail dealer, whatever that may be, is beside the question. We do not see how anyone can favor postal savings banks as a matter of principle and oppose the parcels post. A favorite argument has been the Government should not go into the express business. It is as consistent that the Government should not go into the banking business, but, aside from all this, the parcels post must and will come. It is a product, a condition, a result of the demands of modern times. Even if the people by word of mouth do not favor it, we can not say that the general requirements do not demand it.

We dislike anything like reiteration, but we desire our readers to note particularly that we do not withdraw our specific objection to the parcels post. It is only that we do not see our way clear to consistently oppose it. We believe that it is one of those inevitable things in the march of progress that people, all interests, must support instead of trying to combat. We believe it is as much a product of the times as such innovations as department stores. The retail trade in the country have been obliged to seriously consider what they shall do to meet the competition of the mail-order houses. If the parcels post when enacted operates to their disadvantage, they must not regard it as an evil but as a condition to be met.

It is our opinion that the Postmaster General believes that the establishment of a parcels post is inevitable and that he will recommend to Congress that a delivery be authorized on rural routes of parcels weighing 11 pounds, which is the weight limit of the international parcels post. This, of course, will be an entering wedge, and if this is successful, as we have no doubt it will be, it will undoubtedly lead to an attempt by the department to establish a more general system. We do not think that the Postmaster General will recommend any precipitate action, but that he will recommend a thorough investigation as to the volume of business likely to be handled in this way, and we think that the Postmaster General, being a careful and conservative man, as he has certainly shown himself to be, will advocate that the establishment even of this experiment parcels-post delivery be deferred until the postal savings-bank business is well under way and firmly established and running smoothly. There is bound to be a parcels-post law passed and there is bound to be a weight and measure bill passed; therefore, it is far better policy, instead of opposing these inevitable measures, to join in making the actual enactments as unobjectionable as possible.

It is a principle as old as the sun that to continue to oppose the inevitable, to butt a stone wall, is a shortsighted and narrow policy.

I shall also insert in the RECORD a clipping from the Price Current, published in Wichita, Kans., which seems to make it very clear that the mail-order houses are themselves paying for some of the literature in which their own concerns are being used to scare the people into opposition to the local parcels post:

LETTING OUT THE CATS.

Good Mr. Philanthropic Slick,
You need some money for expense;
You know the way to get it quick,
And hide "the nigger in the fence."

During the past few months the Price Current has said some things about the proposed extension of our parcels post. This paper has always maintained that the mail-order houses are legitimate concerns, but the policy of supporting them entirely wrong, because of the fact such patronage works against the upbuilding of local communities. The Price Current has always opposed any enlargement of the parcels-carrying service of the postal department that would involve a rate lower than the cost of carriage to the Government. It has not changed. It has also had no sympathies with the different schemers who have been hoodwinking the merchants as to the possible effects of any postal-carrying service that might be instituted. Recently reference has been made in this journal to the American League of Associations, the purpose of which, it is claimed, is to oppose any efforts that may be made toward the enlargement of our parcels post. It does not favor any underhanded methods. It always considers with care any movement which may be fostered by persons who have "axes to grind." Mr. George H. Maxwell is the prime mover in the American League of Associations. He is a very able lawyer. In fact it takes a good one to get the support of big railroads to the extent of $6,000 per year from each road. But this is what the congressional investigation a few years ago showed that Maxwell had done. In fact it is not four years ago since he was the prime mover in a free-supplement scheme, sending out to hundreds of papers weekly supplements free, and these sheets containing the advertising matter of the mail-order houses. The story is too long to relate here; but now we find this same Maxwell a leader in the association of associations that is going to prevent parcels-post enlargement. Let us see: On January 17 Congressman Moss, of Indiana, made an address in the

House of Rrepresentatives, in which he reviewed the work of the opponents of enlarged parcels post. Among other things, he said, quoting the Chicago Tribune as authority: "Seventeen mail-order houses of Chicago belong to this association and have obscured their identity by having credit men, clerks, and others not filling official positions to represent them." Here is the gist of the matter in a nutshell. The American League of Associations, supported by the mail-order houses! What do you think about it? Is this the kind of association that national associations of merchants are hooked up with? Do you suppose that the mail-order houses are so interested in the country merchants' welfare as to donate big wads of money to defeat parcels-post legislation?

Here is an editorial from the Price Current which explains why some people want a reduction in letter postage rather than a parcels post:

Penny letter postage advocates are hard at work. As has been heretofore referred to in the Price Current, there are between 150,000 and 200,000 extensive users of letter postage. Last year the revenue to the Post Office Department from letter postage was about $132,000,000. Of course the carrying of letters was profitable and made up the loss on second-class matter. But is it wise to lower the rate? It would mean the cutting of the postal revenue from $60,000,000 to $70,000,000 a year. Who would be benefited? Only the large users of letter postage, who at the present time make provisions for this expense just the same as for any other expense. More than 90,000,000 people of the United States would be taxed directly and indirectly to make up the deficit, and the wealthy firms and corporations would get the benefit. Do you suppose that it would cheapen any products to consumers to have these big concerns save 1 cent on each letter they send out? No; it would be just so much additional profit. Sears, Roebuck & Co. make the statement that they send out more than 8,000,000 packages of goods a year. Every package sent out means the writing of about three letters. Thus we find that for letters alone this mail-order concern spends about $480,000 a year. Should the letter postage be cut down to 1 cent, it would mean a saving to this concern of $240,000 a year. What do you think about it?

Mr. WEEKS. I will ask the gentleman from Tennessee to use some little time.

Mr. MOON of Tennessee. I yield to the gentleman from Missouri.

Mr. BORLAND. Mr. Chairman, it may be somewhat presumptuous, after this statesmanlike exhibition in the use of the people's time on the floor of the National Congress, for a man to undertake to discuss the bill now pending before this committee, but at the risk of some ridicule I will undertake to submit a few observations regarding the good of the postal service.

The policy which has been adopted by the present administration of the Postal Department is said to be one of economy. That economy is a necessary result of a career of extravagance, some of it possibly originating in the Postal Department. But the general idea of economy is the outgrowth of the revolt of the people against the extravagance of the seven years of the last administration. Why this particular brand of economy should be visited upon the Postal Department is not clear to many Members of this House. So far as affects any administrative service and reducing the cost to the American people of the Postal Department, it ought to have the united nonpartisan support of every Member of the House; but so far as economies, so called, are made at the expense of the efficiency of the postal service, and thereby at the expense of the business communities of this country, they do not need and should not have the support of the Members of this House.

A year ago, when we were considering this Post Office appropriation bill, I called the attention of the chairman to the fact that there might not be an appropriation large enough to provide for appointments of postal clerks to provide for death, resignation, promotion, and the increase of service. The gentleman stated that, in his judgment, the appropriation was sufficient. The hearings before the committee now disclose that the appropriation, with six months longer to run, is but $8,000 for the appointment of postal clerks during the remainder of the fiscal year.

I believe, Mr. Chairman, that an ample supply of postal clerks should be maintained, promptly and efficiently, to handle the mail of the business world, until such time as changes in the administrative departments or the growth and invention of mechanical devices shall make a reduction in the force necessary and convenient. In this case the chairman undertakes to point out that the reduction of appropriation has preceded administrative changes. It would be much better for the business world and for the country if the reductions in the needs of the department preceded the appropriations made on the basis of those reductions.

I want to enter one protest against the reduction in the force of the post-office clerks.

I want to notice, however, that in the appropriation for the Railway Mail Service there has been an extension of the principle for which we have long contended, that the railway mail clerks, when away from their homes necessarily on long runs, should have an allowance for their expenses to equalize the cost of living between them and the postal clerks in the city post offices An appropriation was made experimentally last year. It was only a small amount—10 cents a day. Now it has been substantially increased, for which the committee deserves the thanks and will have the thanks of the postal service and the men.

I would like to see a further extension of the safety-device law in regard to the railway mail clerks.

There has been a growth in the number of steel construction postal cars in use, a fact which has been pointed out in the hearings before the committee, but there are still a number of old cars that should be supplanted as rapidly as they can be. Every time a mail clerk is killed Uncle Sam loses the services of a trained employee, whose training has been at the expense of the American people, and whose skill is an asset of value in the administration of the postal service. No railway mail clerk should be sacrificed upon the altar of economy, either of the department or of a railroad company.

I would like to see some equitable arrangement for a 30-day vacation in the different branches of the postal service. I have not the time to refer to it now, but I noted that the Assistant Postmaster General said that at certain seasons of the year the work of the postal clerks was very light, and that as fall and winter approached it became heavier, and they worked longer hours. During that light season, which is the summer season, arrangements might be made for a proper vacation for the postal clerks.

There should also be, as far as possible, the establishment of an eight-hour day in the postal service, as in all other branches of the Government. Clerks and carriers who necessarily work over eight hours should be allowed a fair amount for overtime. Sufficient appropriation should be made to provide automatic promotion for clerks and carriers up to the $1,200 grade.

Now, Mr. Chairman, I speak more particularly from the standpoint of the interests of the large commercial center of the Southwest; but surrounded as it is by the great trade territory that is tributary to that city, it is vitally interested in the Rural Mail Service. I am not in sympathy with a reduction of the Rural Mail Service from daily to twice or three times a week. The Rural Mail Service, in the brief period that it has been in existence, has well justified its establishment. It has become one of the most important and influential branches of the Federal mail service. The Rural Service should be extended as rapidly as possible and not curtailed. If there is anything that the business public of this country will justify, it is an extension of the mail service in every direction, until the farthest hill farm in the most remote county in the whole United States shall be drawn by a golden thread, in touch with every movement of the outer world. [Applause.] There is no link so powerful to bind the Nation together as the rapid transmission of intelligence.

The sending of market reports, the sending of the letters of the absent loved one of the family circle, the sending of business contracts, the quick transmission of news all over this broad land is a stronger bond of nationality than any other that has yet been invented. Talk about the fortification of the Panama Canal or the building of great battleships. Here is the real foundation rock of nationality, in the dissemination of intelligence, upon which free government must be based throughout the whole of our Nation. In the postal service there can be no North, no South, no East, no West, but every man is in direct touch with the great, palpitating heart of the Nation, of which he is a part. We are not prepared to countenance a reduction in the postal service, nor is there any reason why the postal service should pay a profit or be conducted without expense to the American people. [Applause.] The American people do not demand a profit-paying institution in the postal service any more than they do in the Agricultural Department or the Department of Commerce and Labor. [Applause.] They demand the highest efficiency that skilled intelligence and care on our part can give them. They demand the fairest treatment for the army of skilled employees necessary to carry on that great enterprise. [Applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Alabama [Mr. BURNETT] five minutes.

Mr. BURNETT. Mr. Chairman, I arise to ask unanimous consent to extend my remarks in the RECORD by inserting an article from the American Federationist of January, 1911, on immigration, by Samuel Gompers; also, an article in the American Federationist, by John Mitchell, substantially along the same lines.

The gentleman from New York [Mr. BENNET], a few days ago, just at the time of adjournment, secured unanimous consent to insert an article by Dr. Eliot against the illiteracy test for the admission of immigrants, and I desire to extend my remarks by inserting the two articles referred to.

Mr. STAFFORD. Will the gentleman yield for a question?

Mr. BURNETT. With pleasure.

Mr. STAFFORD. The article referred to by Dr. Eliot has been inserted in the RECORD?

Mr. BURNETT. It was, by unanimous consent.

Mr. STAFFORD. Does the gentleman from Alabama ask to insert it again?

Mr. BURNETT. Oh, no.

Mr. STAFFORD. Then, I misunderstood the gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The following are the articles referred to:

IMMIGRATION—UP TO CONGRESS.

[By Samuel Gompers.]

THE AMERICAN FEDERATION OF LABOR ON IMMIGRATION.

Resolution 77, passed at the annual convention held at Toronto, Ontario, November, 1909:

Whereas the illiteracy test is the most practical means for restricting the present stimulated influx of cheap labor, whose competition is so ruinous to the workers already here, whether native or foreign; and

Whereas an increased head tax upon steamships is needed to provide better facilities, to more efficiently enforce our immigration laws, and to restrict immigration; and

Whereas the requirement of some visible means of support would enable immigrants to find profitable employment; and

Whereas the effect of the Federal Bureau of Distribution is to stimulate foreign immigration: Therefore be it

Resolved, By the American Federation of Labor in twenty-ninth annual convention assembled, that we demand the enactment of the illiteracy test, the money test, an increased head tax, and the abolition of the Distribution Bureau; and be it further

Resolved, That we favor heavily fining the foreign steamships for bringing debarable aliens where reasons for debarment could have been ascertained at the time of sale of ticket.

The final inning of the tug of war over immigration has now begun. In this contest tremendous forces are engaged. On the side of America are the upholders of two distinctive American sentiments—the maintenance of the American standard of living for our wage-working classes and the maintenance of American institutions as they are, unimpaired through the financial degradation of the working classes. On the pro-immigration side is the powerful immigration machine, composed of the transocean combine, with all its thousands of agents and other innumerable parasites, the bankers, padrones, etc., who are coining money out of the millions of immigrants coming in the course of years into this country from Europe.

The center of this tug of war has at last shifted to Congress. No longer is the discussion indefinite, casual, or partisan, or without an immediate object, conducted through the press and other insufficient agencies of information and debate. No longer, either, is it backed up merely by individual impressions or the partial investigations heretofore promoted by varous private institutions. The Federal Government undertook four years ago the solution of the immigration question through scientific means. It set out to ascertain the undeniable facts, and after three full years of research its commission has brought forward no less than 40 volumes on the subject, covering every possible phase. Its recommendations it has brought forward in concise form in a separate pamphlet.

A reading of these recommendations confirms the facts of the case as they have been accepted by the American Federation of Labor after the serious study its members had given the question for decades. The local, and then the international, unions, and finally the annual conventions of the American Federation of Labor itself, have had immigration up for consideration as one of the principal labor topics on literally thousands of occasions. The membership as a whole, from upholding the sentiments the great majority once entertained, namely, that this country could go on indefinitely absorbing the entire possible stream of immigration, have reluctantly, in view of the facts, passed over to the sway of the sentiment that their own good-heartedness toward the immigrants and the laborers of the Old World was being exploited by large employers for the purpose of reducing wages, as well as by the steamship combine and its myriad of parasites for the sake of their own profits. At last the great body of the American industrial wage-workers have come to see one fact above others, which is that the immigrants are assimilated in America through the wageworking class. This means that the American-born wage-earners and the foreign wage-earners who have been here long enough to aspire to American standards are subjected to the ruinous competition of an unending stream of men freshly arriving from foreign lands who are accustomed to so low a grade of living that they can underbid the wage-earners established in this country and still save money. Whole communities, in fact whole regions, have witnessed a rapid deterioration in the mode of living of their working classes consequent on the incoming of the swarms of lifelong poverty-stricken aliens. Entire industries have seen the percentage of newly arrived laborers rising, until in certain regions few American men can at present be found among the unskilled.

By the commission's report it is shown that in many communities as high as 50 and even 70 per cent of the children in the public schools are the offspring of foreign fathers. This remarkable change in America, it must be kept in mind, is almost wholly in the wageworking class. It was recognized by our wageworkers in many parts of the country that this radical change in population was taking place, and hence delegates to the trade-union conventions began some years ago to give their testimony as to the need of restriction of the evidently assisted, or artificially promoted, immigration. Opposition to those who supported these views brought about a continual sifting and searching for the truth as it affected trade unionism and the general wage level. At work in advance of the investigators of the Immigration Commission were the representatives of labor as most deeply interested investigators in the cause of labor. Not only in a general way, but most strikingly in certain occupations and in certain districts of the country, what had been brought home to trade unionists as going on through immigration was the rapid change in the membership of the unions as well as in population. In no country on the face of the globe do such rapid transitions in industry and in population take place as in ours. Therefore in time the general opinion among union men on immigration had come to be such as was expressed in the resolution passed at the Toronto convention.

The United States Immigration Commission, after its protracted studies, perfectly agrees with this opinion. The commission as a whole, in its own words, "recommends restriction as demanded by economic, moral, and social considerations, furnishes in its report reasons for such restriction and points out methods by which Congress can attain the desired result if its judgment coincides with that of the commission."

There was but one dissenting voice on the commission's report, that of Congressman WILLIAM S. BENNET, of New York, whose emphatic rejection on November 8 by his constituents was one of the remarkable features of the recent campaign. Mr. BENNET'S minority report is brief and not very clear as to his reasons for finding every other member of the commission of nine members in the wrong. Since the date on which he sent it in, however, he has found his proper place. On December 6 he sent a telegram to the president of the "Liberty Immigration Society," declaring that "immigration at the present time is not a menace, either mentally, morally, or physically." This telegram was published, with words of approval, by the foreign New York newspapers, which draw much of their financial support from the large display advertisements of the steamship combine engaged in dredging Europe for emigrants.

The following is the most significant passage of the United States Immigration Commission's report (p. 39):

"The investigations of the commission show an oversupply of unskilled labor in basic industries to an extent which indicates an oversupply of unskilled labor in the industries of the country as a whole, and therefore demands legislation which will at the present time restrict the further admission of such unskilled labor.

"It is desirable in making the restriction that—

"(a) A sufficient number be debarred to produce a marked effect upon the present supply of unskilled labor.

"(b) As far as possible the aliens excluded should be those who come to this country with no intention to become American citizens or even to maintain a permanent residence here, but merely to save enough, by the adoption, if necessary, of low standards of living, to return permanently to their home country. Such persons are usually men unaccompanied by wives or children.

"(c) As far as possible the aliens excluded should also be those who by reason of their personal qualities or habits, would least readily be assimilated or would make the least desirable citizens.

"The following methods of restricting immigration have been suggested:

"(a) The exclusion of those unable to read or write in some language.

"(b) The limitation of the number of each race arriving each year to a certain percentage of the average of that race arriving during a given period of years.

"(c) The exclusion of unskilled laborers unaccompanied by wives or families.

"(d) The limitation of the number of immigrants arriving annually at any port.

"(e) The material increase in the amount of money required to be in the possession of the immigrant at the port of arrival.

"(f) The material increase of the head tax.

"(g) The levy of the head tax so as to make a marked discrimination in favor of men with families.

"All these methods would be effective in one way or another in securing restrictions in greater or less degree. A majority of the commission favor the reading and writing test as the most feasible single method of restricting undesirable immigration."

The commission also makes the following points in its report:

"Further general legislation concerning the admission of aliens should be based primarily upon economic or business considerations touching the prosperity and economic well-being of our people.

"The development of business may be brought about by means which lower the standard of living of the wage earners.

"Aliens convicted of serious crimes within a period of five years after admission should be deported.

"So far as practicable the immigration laws should be so amended as to be made applicable to alien seamen.

"Any alien who becomes a public charge within three years after his arrival in this country should be subjected to deportation."

The commission also believes that in order "to protect the immigrant against exploitation, to discourage sending savings abroad, to encourage permanent residence and naturalization, to secure better distribution of alien immigrants throughout the country," the States should enact laws strictly regulating immigrant banks and employment agencies, and that aliens who attempt to persuade immigrants not to become American citizens should be made subject to deportation, and that the Division of Information should cooperate with the States desiring immigrant settlers.

At the recent St. Louis convention of the American Federation of Labor the president, in his report, called the attention of the delegates to the fact "that a veritable flood of bills" designed to check immigration had been introduced in the last session of Congress, and the report of the executive council on the president's report expressed the hope that this flood of bills and the work of the Immigration Commission would result "in the enactment of legislation which will protect the workers in this country from the unfair competition resulting from indiscriminate immigration."

On behalf of American labor, it is to be said that the action of the trade unions in this country on this most delicate international question involves a step that touches the heart of every man contemplating it. That step, the advocacy of exclusion, is not prompted by any assumption of superior virtue over our foreign brothers. We disavow for American organized labor the holding of any vulgar or unworthy prejudices against the foreigner. We recognize the noble possibilities in the poorest of the children of the earth who come to us from European lands. We know that their civilization is sufficiently near our own to bring their descendants in one generation up to the general level of the best American citizenship. It is not on account of their assumed inferiority, or through any pusillanimous contempt for their abject poverty, that, most reluctantly, the lines have been drawn by America's workingmen against the indiscriminate admission of aliens to this country. It is simply a case of the self-preservation of the American working classes. Changes are constantly going on in Europe for the uplift of the men of labor, and it can well be believed that each country in Europe is in position to-day to solve its own labor questions in the way best for itself. A fact now obvious to labor in this country is that American labor and European labor have both been made the subject of a colossal bunco game, played by avaricious exploiters of the poor. The sounding phrase "protection to American labor" has of recent years been a standing insult to the intelligence of American wage-earners,

with millions upon millions of newcomers arriving here through promoted immigration. Considering the opportunities now existing in Europe for the advance of the working classes, the net gains to be made on the whole by European immigrants to this country at the present time are to be questioned. The manifold acute sufferings of immigrants, their sacrifices to enable them to come to America, the trials of the ocean voyage, the discouragements in seeking work in the United States—in getting a foothold in the wage-working ranks, in the oppression they suffer at the hands of employers, and in their sickness and death rate—all these drawbacks serve to counterbalance much of whatever success may at last come to them. Of the 30 to 40 per cent of the immigrants who return to Europe, an enormous number go back, by the evidence of the commission, defeated, disheartened, ruined.

It is not necessary here to dilate on many of the inhuman features of immigration statements as to which have been so hotly disputed in the many articles published in American periodicals in recent years. Suffice it to say, that the Immigration Commission's report in its summary gives reason to believe that the most sensational charges against steamship companies and other monster plunderers of the poor ever made in the yellowest of the magazines come near to official substantiation.

The commission says:

"The old immigration movement was essentially one of permanent settlers. The new immigration—since 1882—is very largely one of individuals, a considerable proportion of whom apparently have no intention of permanently changing their residence, their only purpose in coming to America being to temporarily take advantage of the greater wages paid for industrial labor in this country. This, of course, is not true of all the new immigrants, but the practice is sufficiently common to warrant referring to it as a characteristic of them as a class. From all data that are available it appears that at least 40 per cent of the new immigration movement returns to Europe, and at least 30 per cent remains there. This percentage does not mean that 30 per cent of the immigrants have acquired a competence and returned to live on it. Among the immigrants who return permanently are those who have failed, as well as those who have succeeded. Thousands of those returning have, under unusual conditions of climate, work, and food, contracted tuberculosis and other diseases, others are injured in our industries, still others are the widows and children of aliens dying here. These, with the aged and temperamentally unfit, make up a large part of the aliens who return to their former homes to remain (p. 16, Brief Statement).

"As a class, the new immigrants are largely unskilled laborers coming from countries where their highest wage is small compared with the lowest wage in the United States. Nearly 75 per cent of them are males. About 83 per cent are between the ages of 14 and 45 years, and consequently are producers rather than dependents. They bring little money into the country and send or take a considerable part of their earnings out. More than 35 per cent are illiterate, as compared with less than 3 per cent of the old immigrant class (p. 16).

"It should be stated, however, that immigration from Europe is not now an absolute economic necessity, and as a rule those who emigrate to the United States are impelled by a desire for betterment rather than by the necessity of escaping intolerable conditions. This fact should largely modify the natural incentive to treat the immigration movement from the standpoint of sentiment and permit its consideration primarily as an economic problem (p. 17).

"Comparatively few immigrants come without some reasonably definite assurance that employment awaits them, and it is probable that as a rule they know the nature of that employment and the rate of wages. A large number of immigrants are induced to come by quasi labor agents in this country, who combine the business of supplying laborers to large employers and contractors with the so-called immigrant banking business and the selling of steamship tickets.

"Another important agency in promoting emigration from Europe to the United States are the many thousands of steamship ticket agents and subagents operating in the emigrant-furnishing districts of southern and eastern Europe. Under the terms of the United States immigration law, as well as the laws of most European countries, the promotion of emigration is forbidden, but nevertheless the steamship-agent propaganda flourishes everywhere. It does not appear that the steamship lines as a rule openly direct the operations of these agents, but the existence of the propaganda is a matter of common knowledge in the emigrant-furnishing countries and, it is fair to assume, is acquiesced in, if not stimulated, by the steamship lines as well. With the steamship lines the transportation of steerage passengers is purely a commercial matter; moreover, the steerage business which originates in southern and eastern Europe is peculiarly attractive to the companies, as many of the immigrants travel back and forth, thus insuring east-bound as well as west-bound traffic (p. 17).

"There are annually admitted, however, a very large number who come in response to indirect assurance that employment awaits them. In the main these assurances are contained in letters from persons already in this country who advise their relatives or friends at home that if they will come to the United States they will find work awaiting them. On the other hand, it is clear that there is a larger induced immigration due to labor agents in this country, who, independently or in cooperation with agents in Europe, operate practically without restriction. As a rule only unskilled laborers are induced to come to the United States by this means (p. 21).

"There have been established at a number of our important ports societies who, with the permission of the immigration authorities, send representatives to meet incoming aliens whose friends and relatives fail to call for them. In case these immigrants need advice or a place where they can remain in safety for a few days these societies furnish such aid and permit them to come to the homes which have been established for that purpose. These societies and homes have usually been founded by and are under the direction of societies connected with some religious body. In a number of instances they receive subventions from foreign governments, inasmuch as they care for the immigrants of the countries concerned.

"As the welfare of the immigrants, especially young women, might be materially affected by the care exercised by the representatives of these homes, it seemed wise to investigate their methods of work and the condition of their homes. The results were surprising. While in a number of cases the societies were doing excellent work and the homes were giving due attention to the welfare of the young women placed in their charge, securing them positions and afterwards seeing that the positions were those suitable for the girls, in a number of instances it was found that the managers of the homes had apparently deceived the directors and supporters of the societies and were making of the homes mere money-making establishments for the managers. In a few cases, in order to promote their own financial advantage, the managers overcharged the immigrants, permitted the immigrant homes to remain in a filthy condition from lack of care, and even were ready to furnish to keepers of disreputable houses young girls as servants in such houses. The commission called the attention of the immigration commissioner at Ellis Island and of the authorities at Washington to these abuses. In a number of cases vigorous action was taken, and representatives of seven societies were forbidden access to the immigrant station until a complete change in the management had been brought about (p. 23).

"A large proportion of the southern and eastern European immigration of the past 25 years has entered the manufacturing and mining industries of the Eastern and Middle Western States, mostly in the capacity of unskilled laborers. There is no basic industry in which they are not largely represented, and in many cases they compose more than 50 per cent of the total number of persons employed in such industries. Coincident with the advent of these millions of unskilled laborers there has been an unprecedented expansion of the industries in which they have been employed. Whether this great immigration movement was caused by the industrial development or whether the fact that a practically unlimited and available supply of cheap labor existed in Europe was taken advantage of for the purpose of expanding the industries can not well be demonstrated. Whatever may be the truth in this regard, it is certain that southern and eastern European immigrants have almost completely monopolized unskilled labor activities in many of the more important industries (p. 29).

"The effect of the new immigration is clearly shown in the western Pennsylvania fields, where the average wage of the bituminous coal worker is 42 cents a day below the average wage in the Middle West and Southwest. Incidentally, hours of labor are longer and general working conditions poorer in the Pennsylvania mines than elsewhere. Another characteristic of the new immigrants contributed to the situation in Pennsylvania. This was the impossibility of successfully organizing them into labor unions. Several attempts at organization were made, but the constant influx of immigrants to whom prevailing conditions seemed unusually favorable contributed to the failure to organize. A similar situation has prevailed in other great industries (p. 30).

"These groups have little contact with American life, learn little of American institutions, and aside from the wages earned profit little by their stay in this country. During their early years in the United States they usually rely for assistance and advice on some member of their race, frequently a saloon keeper or grocer, and almost always a steamship ticket agent and immigrant banker who, because of superior intelligence and better knowledge of American ways, commands their confidence. After a longer residence they usually become more self-reliant, but their progress toward assimilation is generally slow (p. 30).

Space prevents us from giving further quotations. It is to be hoped that all intelligent unionists will write to their Representatives in Congress for copies of the "Brief Statement of the Conclusions and Recommendations to the Immigration Commission," issued last month from the Government Printing Office and which can be had for the asking. Let every active unionist and every local union also see to it that this information has its proper and due influence on the public through the local newspapers and on the local Representative in Congress.

Now is the time to be wide awake. It was well enough to promote discussion of the question and to follow up through the years the development of public opinion on the subject, but now is the hour for action. Remember the forces we are obliged to encounter and let the campaign be quick, sharp, and brief. The enemy has everything to gain through procrastination of our lawgivers in dealing with the subject.

[By John Mitchell, in the American Federationist, October, 1909.]

PROTECT THE WORKMAN.

"Certain steamship companies are bringing to this port many immigrants whose funds are manifestly inadequate for their proper support until such time as they are likely to obtain profitable employment. Such action is improper and must cease. In the absence of a statutory provision, no hard-and-fast rule can be laid down as to the amount of money an immigrant must bring with him, but in most cases it will be unsafe for immigrants to arrive with less than $25 besides railroad ticket to destination; while in many cases they should have more. They must, in addition, of course, satisfy the authorities that they will not become charges upon either public or private charity."

No official bulletin upon the subject of immigration has attracted more attention or caused more discussion than that issued under date of June 28, 1909, by the commissioner of immigration at the port of New York, from which the above excerpt is taken. It is both interesting and significant to observe the expressions of approval and disapproval of the principle laid down by Commissioner Williams for the guidance of prospective immigrants and the steamship companies through whose instrumentality large numbers of aliens are induced to leave the countries of their nativity and seek temporary or permanent homes upon our shores.

While this article is written from the standpoint of a wage earner, the subject is approached from the viewpoint of an American, because, fundamentally, no Government policy can be of permanent value to the wage earners as such that is not beneficial to our country and all our people. And it is because a high standard of living and a progressive improvement in the conditions of life and labor among workingmen are essential to the prosperity of the whole people that the wage earners believe in a reasonable and effective regulation of immigration.

The commissioner at the port of New York, in serving timely notice upon steamship companies, and indirectly upon the people of the Old World, that "in most cases it will be unsafe for immigrants to arrive with less than $25 besides railroad ticket to destination," has laid down a rule that, if followed, will not only afford some measure of protection to American labor, but will also protect the poor and oppressed of other countries by deterring them from coming here without adequate means to enable them to maintain themselves until such time as they can secure employment at a rate of wages comparable to the standard prevailing in the trade in which they seek work.

When it becomes known in the countries of Europe that it is necessary for an immigrant to have in his possession a sufficient amount of money to pay his own way to the interior of the United States and to live until he can secure work at the prevailing rate of wages, only such immigrants will seek admission as are of the better class, and the danger of lowering the American standard of living will be materially reduced. It goes without saying that it is no advantage to society when an alien gains admission to our country and is forced by his necessities to accept employment at a rate of wages lower than the established or prevailing rate in the class of work he undertakes to do. And it is a real hardship to the American workman and a loss to society if the newly arrived immigrant underbids him and secures the job held by one of our own citizens.

The standard of wages for both skilled and unskilled labor in the United States has been built up as a result of years and years of energetic effort, struggle, and sacrifice. When an immigrant without resources is compelled to accept work at less than the established wage rate, he not only displaces a man working at the higher rate, but his action threatens to destroy the whole schedule of wages in the industry in which he secures employment, because it not infrequently occurs that an employer will attempt to regulate wages on the basis of the lowest rate paid to any of the men in his employ. Any reduction in wages means a lowering of the standard of living, and the standard of living among a civilized people can not be lowered without lowering in the same ratio the physical standard and the intellectual and moral ideals of that people.

Of course, it may be said that this observation is not borne out by the experience and the history of our country. It is admittedly true that our population is largely an immigrant population and that the standard of living has gradually tended higher; but in considering the influence and effects of stimulated immigration it is necessary to contrast conditions now with conditions prevailing in the past, and also to keep in mind the change that has taken place in the extent and the character of the immigration.

If the number of aliens coming annually to the United States were no greater now than in any year between 1820 and 1880, there would be and could be no reasonable ground for complaint; indeed, there would be little demand from wage earners for the enactment of laws restricting immigration if the number of aliens arriving did not exceed the number admitted in any year up to 1900, provided, of course, that such aliens were not brought here as contract laborers or were not physically, mentally, or morally defective.

That immigration in recent years has been stimulated beyond the line of assimilative possibility will be apparent even to the casual observer when the volume of immigration at the present time and in the recent past is compared with the number of immigrants who arrived here during the first 80 years for which statistics have been tabulated. For illustration, more aliens were admitted through our ports in 1 year, 1907, than were admitted during the entire 24 years from 1820 to 1843, inclusive, and nearly as many aliens were admitted in the 5 years from 1904 to 1908, inclusive, as were admitted during the 40 years from 1820 to 1859, inclusive.

It is important to an intelligent understanding of this subject that at this point consideration be given not only to the extent of present immigration as compared with the immigration of early times, but also to the character and intention of many aliens who in recent years have gained admission to our country. It is safe to say that prior to 1880 nearly every immigrant, except contract laborers, left his own country for the purpose of making a permanent home for himself and his posterity in the country of his adoption. The immigrant of those days was a sturdy, adventurous pioneer, who was willing to undertake and withstand the struggles and the hardships incident to the development of a new and ofttimes dangerous country. He expected to carve out a career for himself, to build his home, and to find employment on ground and in fields upon which no other man had claim. The avenues and the opportunities of employment and home building of early times have largely passed away. To-day the alien has not the chance, even though he has the inclination, to be a constructive factor in the development of a new and high civilization. Large numbers of the immigrants of recent years regard our country simply as a foraging ground, in which they expect to make a "stake," and, when they have done so, to return to their own countries and spend the remainder of their lives there; and this "stake" is too often accumulated by eating and living in a manner destructive of physical and social health. An immigration of this character is of absolutely no benefit to us. The alien who enjoys the advantages and protection of our Government and afterwards takes or sends his accumulated savings back to the country of his birth is not unlike our butterflies of fashion, whose parents invest American millions in the purchase of foreign titles.

That the question of immigration presents a real problem, which is rapidly approaching a crisis, is evidenced by many circumstances, all of which point in the same direction—not the least of these being the act of Congress creating a commission to make an exhaustive investigation into the effects of immigration upon our national life. From public and private institutions of charity comes the ominous warning that the means at hand are insufficient to relieve the cry of distress; the bread line, that standing indictment against society which has been duplicated in other cities and in other sections of the city of New York, proclaims louder than words that something is radically wrong. Trade unions, ever jealous of their prestige and of the dignity and self-respect of their members, have given out millions of dollars to buy bread for those of their number who can not find work to do. And all this time, during which able-bodied men anxious and willing to work are tramping the streets and the highways in idleness, hundreds of thousands of immigrants are pouring in upon us—some to make the struggle of the American worker more difficult to bear, and others to be recruited into that army of unemployed which threatens to become a permanent institution of our national life.

It is not sufficient to say that these are abnormal conditions, the result of a temporary industrial depression, or that the evils will vanish with the return of "good times." While there can be no doubt that a revival of industrial activity will relieve, in a measure, the strain of the situation, and perhaps the cry of want and the mutterings of discontent will be less frequently heard, nevertheless a cure will not be effected and the problem will remain unsolved. The world does not owe a living to an able-bodied man, but society does owe its workmen an opportunity to earn a living under fair and reasonable conditions. The first duty of a community is to give its own members the opportunity of being employed at decent wages; then, and not until then, its arms should be held wide open to welcome the less favored of every nation and of every clime.

The American wage-earner, be he native or immigrant, entertains no prejudice against his fellow from other lands; but, as self-preservation is the first law of nature, our workmen believe and contend that their labor should be protected against the competition of an induced immigration comprised largely of men whose standards and ideals are lower than our own. The demand for the exclusion of Asiatics, especially the Chinese and the Hindus, is based solely upon the fact that, as a race their standard of living is extremely low and their assimilation by Americans impossible. The American wage-earner is not an advocate of the principle of indiscriminate exclusion which finds favor in some quarters, and he is not likely to become an advocate of such a policy unless he is driven to this extreme as a matter of self-preservation. He fails, however, to see the consistency of a legislative protective policy which does not, at the same time that it protects industry, give equal protection to American labor. If the products of our mills and factories are to be protected by a tariff on articles manufactured abroad, then, by the same token, labor should be protected against an unreasonable competition from a stimulated and excessive immigration.

And it is highly important to the peace and harmony of our population, whether it be native or alien, that discrimination against Americans shall not be permitted. Every good citizen will view with regret and foreboding the publication of advertisements such as the following, which appeared in the Pittsburg papers a few days ago:

"Men wanted. Tinners, catchers, and helpers to work in open shops. Syrians, Poles, and Roumanians preferred. Steady employment and good wages to men willing to work. Fare paid and no fees charged."

The suggestion that American labor is not wanted is likely to arouse a sentiment of hostility against the foreign workers whose labor is preferred by the companies responsible for advertisements of this character. Nothing but evil can come from discord and racial antagonism. At the same time that the American workman recognizes the necessity of reasonable restriction upon the admission of future immigrants, he realizes that his own welfare depends upon being able to work and to live in harmony and fellowship with those who have been admitted and are now a part of our industrial and social life.

There is perhaps no group in America so free from racial or religious prejudice as the workingmen. It is a matter of indifference to them whether an immigrant comes from Great Britain, Italy, or Russia; whether he be black, white, or yellow; whether he be Christian, Mohammedan, or Jew. The chief consideration is that, wherever he comes from, he shall be endowed with the capacity and imbued with the determination to improve his own status in life, and equally determined to preserve and promote the standard of life of the people among whom he expects to live. The wage-earners, as a whole, have no sympathy with that narrow spirit which would make a slogan of the cry, "America for the Americans;" on the contrary, we recognize the immigrant as our fellow worker; we believe that he has within him the elements of good citizenship, and that, given half a chance, he will make a good American; but a million aliens can not be absorbed and converted into Americans each year; neither can profitable employment be found for a million newcomers each year, in addition to the natural increase in our own population.

That there is an inseparable relation between unemployment and immigration is demonstrated by the statistics which are available upon the subject. There are, of course, no complete data showing the extent and effects of unemployment, but from the records of 27 national and international trade unions it is found that during the year 1908 from 10 to 70 per cent of the members of various trades were in enforced idleness for a period of one month or more. These 27 unions are selected from the highly skilled trades, in which organization is most thorough and systematic. Their records show that an average of 32 per cent of the total membership was unemployed.

If this ratio applied to other organizations, it would indicate that approximately 1,000,000 organized workmen were without employment during the past year. Assuming that unemployment affected the unskilled and unorganized wage-earners in the same proportion, it would mean that 2,500,000 wage-earners were unemployed; and while there has been a marked improvement in industrial conditions during the past few months, it will not be contended that unemployment is not still a serious problem and the cause of great and general suffering. Indeed, it is perfectly safe to say that the unskilled and unorganized workmen suffered more from unemployment, both as to the proportion who were so unemployed and in actual physical and mental distress, because the organized workman, in most instances, had built up in normal times a fund upon which he could draw to tide him over his emergency; whereas the unskilled and unorganized workmen—many of whom are recently arrived immigrants—were forced to depend upon charity or upon the munificence of their friends to carry them over the industrial crisis.

In connection with this subject a significant feature of our immigration problem presents itself. Of the 113,038 aliens admitted in March, 1909, which figures are typical of all other periods in recent years, only 10,224 were skilled workmen, while 77,058 were unskilled laborers; the remaining 25,756 being women and children, professional men, and others having no definite occupation. In other words, these figures show that less than 10 per cent of the aliens admitted in the month of March were equipped and trained to follow a given line of employment, whereas 77,058 were thrust upon us, in most cases so situated that they would be compelled to accept the first job, and at any wages, offered to them. It is true that many thousands of these laborers are classed as "farm hands," but it requires no exhaustive inquiry to discover that a farm hand from continental Europe rarely seeks employment as a farm laborer in America. Farming in Europe and farming in America are two separate and distinct propositions. In this country farming is done with modern machinery; in continental Europe the work is done by hand, and the European farm laborer is little better equipped to operate the machinery on an American farm than is a section hand to drive a locomotive.

The facts are that the immigrant who was a farm laborer in his own country seeks employment in America in the unskilled trades. He becomes a mill hand, a factory worker, an excavator, a section hand, and in large numbers he becomes a mine worker. It is only necessary to visit the mining districts of the Eastern and Central Western States, the mill towns, and the centers of the textile industry to find these erstwhile European farm laborers. They have been colonized, and because of the large numbers who are congregated together the opportunity for or the possibility of their assimilation is greatly minimized. The temptation to establish and perpetuate the customs and standards of their own countries, instead of adopting the standards of our country, is so great that if the system of colonization continues it will take several generations to amalgamate these races and blend them into an American people. This condition is not best for them, neither is it good for us; it is simply the result of an unregulated immigration and an unwise distribution of aliens.

While wage earners will undoubtedly indorse the principle laid down by the Commissioner of Immigration at the port of New York, the enforcement of that policy should not be discretionary with him. If we are going to regulate immigration at all, we should prescribe by law definite conditions, the application of which would result in securing only those immigrants whose standards and ideals compare favorably with our own. To that end wage earners believe—

First. That in addition to the restrictions imposed by the laws at present in force the head tax of $4 now collected should be increased to $10.

Second. That each immigrant, unless he be a political refugee, should bring with him not less than $25, in addition to the amount required to pay transportation to the point where he expects to find employment.

Third. That immigrants between the ages of 14 and 50 years should be able to read a section of the Constitution of the United States,

either in our language, in their own language, or in the language of the country from which they come.

While the writer holds no commission that gives him authority to speak in the name of the American wage earners, he believes that he interprets correctly in this article their general sentiment upon the subject of immigration.

Mr. MOON of Tennessee. Mr. Chairman, I now yield 10 minutes to the gentleman from Virginia [Mr. SAUNDERS].

[Mr. SAUNDERS addressed the committee. See Appendix.]

Mr. WEEKS. Mr. Chairman, I greatly regret that the gentleman from Virginia did not present his facts to the committee before he made his remarks on the floor, so that the committee could be able to judge whether any additional provision was needed for that purpose. He did not do that, and so I do not see what the committee have to do with it. I would be glad to have him give us in detail any facts where he believes the service as now furnished by the department is not sufficient. I now yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, in my opinion the completion of the Panama Canal should be celebrated in the city of Washington, D. C. It should be celebrated under Government auspices in such manner as to be of lasting and practical public service.

Great expositions at San Francisco or New Orleans will necessarily be expensive and spectacular. Both cities are now deriving a beneficial advertisement of their respective merits and hustling qualities. But the Panama Canal, apart from being the world's greatest engineering feat, is purely a commercial enterprise. It is the contribution of the United States of America to the commerce of the whole world. It has cost the country about one-half of the total amount thus far spent since the beginning of our history on all the rivers and harbors of the United States. Since these rivers and harbors have not been fully developed and are badly in need of further appropriations by the Government it can readily be seen how great was the sacrifice of the Government and of the commerce of the country to this patriotic and humanitarian work at Panama.

No exposition intended to memorialize the opening of the canal should be undertaken without a due appreciation of the vast breadwinning and government-supporting interests involved.

The Government itself should hold a world's commercial exposition in the Capital City of the Nation. It should pay for the erection of at least one great structure, which should remain perpetually as a commercial and geographical samplehouse and information bureau for the manufacturers, miners, and agricultural producers of the country. I would call it a national commercial museum. Such an exposition, enabling the American merchant to obtain quickly the information necessary for him to trade in foreign countries, or to enable the foreign merchant to understand the conditions relating to American trade, is the one thing needful in our Government to extend the influence of American industry and to establish improved commercial relations with foreign countries. Whatever the Government might spend in the establishment at Washington, under the direction of some such department as that of Commerce and Labor, or of Agriculture, or of the Interior, would probably not exceed the principal of the annual rentals, treated as interest, now paid by the Government for the detached buildings serving in a very unsatisfactory way the purposes of the great Department of Commerce and Labor.

In dealing with a great event like that of the opening of the Panama Canal, we can afford to treat it as worthy of national expenditure. It ought not to be left to any one city. If it is left to one city, it would doubtless lose to the Nation the golden opportunity of permanently cementing our international trade relations.

It is conceded that we have lost to Germany and England and France most of the Latin-American trade and much of that in the Orient. We are yielding somewhat to Japanese competition on the west coast of South America. This is a friendly commercial rivalry, the American loss in which is due almost wholly to American self-satisfaction with the home market and lack of information as to foreign trade conditions, such as packing, shipment, local regulations, trade customs, banking, and collections.

We can not forever depend upon the home market. If we are now being competed with at home, and if that competition continues, we have no time to lose in establishing a commercial status in other countries affording a market to our industrial and agricultural competitors.

Will a great exposition at San Francisco or New Orleans leave us that permanent memorial to international commerce that the opening of the Panama Canal warrants?

The first great international exposition held in this country—the Centennial Exposition at Philadelphia in 1876—brought us a knowledge of silk culture and started that industry in America. It brought us the telephone of Alexander Graham Bell. It left us Horticultural Hall in Fairmount Park, with its beautiful lily ponds and gardens, and a splendid marble structure—Memorial Hall—which is now filled with works of art free to the public view.

The World's Fair at Chicago left that city a beautiful park and the treasures of the Field Art Museum. Buffalo gave us new inspiration in water power and electrical development. And St. Louis, as the result of its great world's show, has profited by parks and acquired a comparatively new city. These were great enterprises having the Government's sanction. They were not under governmental direction.

With respect to the Panama Canal, the situation is entirely new. The canal was constructed at enormous expense by the Government after efforts on the part of other nations to build it had failed. It had been the dream of adventurers and of engineers since the tragic days of the buccaneers. With true American grit and genius, supported by a tremendous volume of the people's money, it has become an accomplished fact and the marvel of the world. It will not be asking the Government too much to spend two or three millions of dollars to memorialize it, so that some practical advantages to commerce and industry may follow its completion.

The Department of Commerce and Labor was hesitatingly created in 1903. With agriculture, which had also been accepted reluctantly at the Cabinet table only two decades before, it represented the earning power of the country. Manufactures and agriculture, with other like industries, are the producers and supporters of all other arms of the Government. To-day, while agriculture is being centralized in Washington and reduced to a scientific basis, the Department of Commerce and Labor, which was charged to foster and develop the commerce and industries of the United States at home and abroad, is largely an administrative office, with scattered bureaus expensively housed and limited facilities to do promotive work.

The opportunity now comes to us to focus the attention of the commercial world upon what we produce and are capable of producing. We ought not to let it slip. We might celebrate the opening of the Panama Canal in many cities. There is no objection to the sailing of the fleet from Hampton Roads to New Orleans and, via the Panama Canal, to San Francisco. All this might be done and should be done.

We are competitors—thus far in a small way—in the world's trade, and we should have no hesitancy in advertising our wares. But we ought not to stop when the gates of the exposition at San Francisco or New Orleans are closed. There should be something permanent for the benefit of trade and commerce here and elsewhere.

A great commercial object lesson and information clearing-house in the Capital City would be in the interest of the producer of the country. He is entitled to know by object lessons, as well as by consular and scientific literature, what he has to meet in the world's competition. The youth of the country is entitled to this kind of information as well as the business man.

For those reasons I expect to vote for Washington, D. C., as the logical point for holding the world's celebration of the completion of the Panama Canal.

Mr. WEEKS. Mr. Chairman, it is not my purpose to take very much of the time of the committee in the explanation of this bill. Ordinarily when this bill is under consideration, as Members without exception are interested in its provisions, they take occasion to interrogate the chairman or some member of the committee on the matters that are under consideration, and in that way obtain the information better than they would by a statement made by the chairman or others at this time.

There are, however, a few features of this bill to which I would like to call the attention of the committee. In the first place, this is the largest bill that Congress has ever been called upon to act on. It carries $253,000,000, which includes deficiencies of $2,000,000 which heretofore have been carried in the general deficiency bill, but which the Committee on the Post Office and Post Roads wish hereafter carried in the bill for the post-office service, so that they may be able to tell at one inspection exactly what the service is costing.

The increase in the appropriation over that for the current year is about $10,000,000, including deficiencies, or 3.72 per cent. Without the deficiencies the increase is less than 3 per cent, which is the lowest increase in an appropriation for the post-office service made during the last 10 years. For the 10 years preceding the appropriation of the current fiscal year the average increase is about 7 per cent. The increase in last year's bill was 3.92 per cent. The increase in this year's bill, without the deficiencies, being less than 3 per cent, Members will see that the total increase in the appropriations for the past two years, including the year we are now appropriating for, is only

about the average annual increase for the previous 10 years—an indication, I think, that both the department and the committee have used the greatest care in providing for this purpose. I believe I can demonstrate to the House at the proper time that the appropriations for the coming year are sufficient to give an efficient service. The deficiency for the year 1910 was between five and six millions of dollars, and there were appropriated for various purposes, which were not expended, about four and one-half millions of dollars more, so that the total deficiency would have been about ten million if the total appropriations had been expended. The revenues for the postal service are increasing at about the same rate as the expenses increase—that is, about 7 per cent annually.

Mr. GOULDEN. Will the gentleman yield?

Mr. WEEKS. Yes.

Mr. GOULDEN. What is the difference between the deficiency this year and that of last year?

Mr. WEEKS. About $12,000,000.

Mr. GOULDEN. Of difference?

Mr. WEEKS. Yes. The revenues are increasing at about the same rate that the expenses increase, and as the appropriations for the last two years have aggregated only an increase of 7 per cent, and the revenues have increased 7 per cent annually, or about that, it can easily be seen that this appropriation for the year 1912 will undoubtedly be within the revenues, which may show a surplus; if so, it will be the first surplus that has been shown by this department since the year 1883. Hereafter, Mr. Chairman, I hope that in providing for new service or in developing the service in any new direction the revenues of the department will always be taken into consideration, and the increase in service based on those revenues rather than upon somebody's desire that it be undertaken.

The one matter in which there has been a radical change in the bill is in the appropriation for the inspection service.

There were five classes of inspectors—those known as field inspectors and city inspectors under the classification service; inspectors under the registry service; the men connected with the Division of Salaries and Allowances; and those in the Railway Mail Service. The department, in order to bring the inspection service under one head, so that all of these inspectors instead of reporting to the various assistants of the department will hereafter report to the chief inspector, intends actually consolidating this service, and the transfers in this act are made to provide for that action. It is believed that there will be economy in bringing about this change, for instead of sending two or three inspectors to inspect matters in one locality of inconsiderable importance, those matters may be attended to in one visit by a single inspector. Furthermore, all of these men are now in the field service, while heretofore some of them were connected with the departmental service in Washington, and from every standpoint we believe that they should be appropriated for under the appropriation for inspectors instead of under the different offices of the department as heretofore.

Mr. MANN. Is there any reduction whatever in the number?

Mr. WEEKS. Yes; I am coming to that. In all of these branches of inspection service there were 399 inspectors. In appropriating this year the committee has recommended the reduction of 9, or to 390 inspectors, believing that that number can be saved in making this consolidation. In addition to that the committee obtains from the hearings the information that much of the time the allowance is not entirely filled.

But it is the pay of these men and the allowances which have been made to them in which the greatest changes have been made. Heretofore the city inspectors have been paid the salaries allowed by law, from $2,000 to $3,000 and their actual expenses. Other inspectors have been allowed the rate provided by law, ranging from $1,200 to $1,800, and $4 per day for traveling expenses. The committee last year, or rather Congress, asked the department to make an investigation of the actual expenses of inspectors in the field. The returns were made for three months, as provided in the act, and it was found that the actual expenses of inspectors in the field averaged very nearly $3 a day, instead of $4 a day, which they were receiving. Now, there are men located in thickly settled communities doing their entire service in those communities, who are at their homes nights, who receive their morning meal at home, who receive their evening meal at home, whose transportation is paid, so the only expense they are put to is the midday meal, and for that service they received $4 per day. In other cases there were men who were away from home substantially all the time, and who probably spent pretty nearly their entire per diem, all this bringing about an inequality in the service. Again, the initial salary paid to these men was $1,200. Frequently they remained in that grade four or five years, and then they were promoted to the $1,400 grade, and then to the $1,600 salary, and there were 10 of these field inspectors who received $1,800 each. The department has invariably represented to the committee in these hearings that the $1,200 salary was not sufficient, taking into consideration the long service necessary to be performed in that grade, to get the best men in the service, and the committee is of the opinion that that complaint is well founded, and for that reason it has changed the salaries of all the field inspectors and at the same time has reduced the per diem from $4 a day to $3 a day. The initial salary paid to the inspectors hereafter will be, if this recommendation is adopted, $1,500 a year, the next grade $1,600, the next $1,700, the next $1,800, and the next $1,900. Those will be the salaries paid the field inspectors, instead of $1,200, $1,400, $1,600, and $1,800 as heretofore. But the saving in per diem to these men by reducing it from $4 to $3 a day is more than sufficient to offset the increase in salaries which we have allowed. So there will be a net saving in the appropriation for the inspection service, taking everything into consideration, of about $51,000. That saving includes the salaries which have been paid to the nine inspectors who are not continued in this bill.

Mr. MANN. Will the gentleman yield?

Mr. WEEKS. Yes.

Mr. MANN. I believe the usual method for appointing these inspectors is by designating one of the employees of the Government in the Post Office Department for examination. I have a great many applications from post-office clerks and carriers in Chicago who wish to be designated for possible examination and appointment as post-office inspectors at the present entrance salary. Does the gentleman think those applications are likely to increase in number when they increase the salary 25 per cent?

Mr. WEEKS. Mr. Chairman, I am rather surprised that that has been the experience of the gentleman from Illinois. It would, perhaps, indicate that it is supposed that he has a large influence with the department. The chairman of this committee has no influence with the department, and perhaps that is the reason why I have had since I have been in Congress not more than two or three applications for the transfer of men from some other branch of the postal service to post-office inspectors.

Mr. MANN. It is lucky that the gentleman does not represent a large city, but represents a small town, or he would have that experience. And, as the gentleman will not have experience hereafter, I will advise some of them who write to me to correspond with the chairman of the committee, who does have influence with the Post Office Department. Heretofore I have thrown those applications in the wastebasket. Doubtless they will receive the attention of my friend, who has not had the opportunity to give attention to his own constituents on the subject. But that does not answer the question.

Mr. WEEKS. I am surprised that the gentleman from Illinois [Mr. MANN] has not already advised the chairman, but I shall be glad to have his advice at any time in regard to these matters.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield?

Mr. WEEKS. I yield.

Mr. MICHAEL E. DRISCOLL. I wish to ask whether the present system will be continued, by which the men who are on part of the day and take their midday meal away from home get $3, and the men who are gone a week or two at a time get only $3.

Mr. WEEKS. I believe the general rule of the department is, if a man is away from his abode more than six hours it is considered a day, and he is allowed the per diem provided under the law.

Mr. MICHAEL E. DRISCOLL. And the man who is gone a length of time gets $3?

Mr. WEEKS. Is to get $3.

Mr. MICHAEL E. DRISCOLL. Have they considered any method by which that money can be equitably and fairly distributed?

Mr. WEEKS. The chairman of the committee would prefer, if he had his choice, to pay all men their actual expenses, but there are some administrative features which make it inadvisable at this time to undertake that method, and it is for the purpose of more nearly equalizing the salaries which the inspectors receive that we have made the change that I have outlined.

Mr. ESCH. In this three months' investigation which was made last year, can you determine the number of days, on an average, which a post-office inspector would be entitled to per diem?

Mr. WEEKS. That three-months test included men who were away from their abode every day and made a return of their actual expenses. There were 262 out of 300 inspectors who

received per diem every day, and the returns were figured from the returns made by those 262 men.

Mr. ESCH. Then, would it average 300 days to which they would be entitled to a per diem per year?

Mr. WEEKS. About 300 days; yes.

Mr. ESCH. Then they would have their per diem reduced $300 per year, and as against that they get this increase of salary due to this new classification?

Mr. WEEKS. Yes. I ought to explain, Mr. Chairman, to the gentleman from Wisconsin what I have already stated, as perhaps he did not catch what I meant, that the per diem has operated to bring about great inequalities in salaries. Some men were away from home substantially every day; other men were only away from home part of the time, and the men who received a per diem heretofore, and were not away from their homes long enough so that they had to go to the expense of providing lodging, and so forth, have had the difference between what they actually expended and their per diem added to their salaries, greatly increasing their pay—perhaps, in some cases, as much as $500 or $600. In other cases men have been away so constantly that they have not been able to add much, if anything, to their salaries on account of per diem.

Mr. KEIFER. I wish to ask the gentleman from Massachusetts a question.

Mr. WEEKS. I yield to the gentleman.

Mr. KEIFER. I understood the distinguished chairman of the Committee on the Post Office and Post Roads to say that there was included in this bill about $2,000,000 for deficiency. Am I right about that?

Mr. WEEKS. That is correct.

Mr. KEIFER. I would like to ask him under what authority he claims that his committee has jurisdiction to make any appropriation for deficiencies.

Mr. WEEKS. Well, Mr. Chairman, I do not claim that we have any authority for that necessarily, or that it is a right, but I believe it is in line with good administration and good legislation that this House and the country should know just exactly what any department is costing. As we have been going on from year to year, the department would make its estimates and then find that it needed more money; and after the Post Office appropriation bill has been reported and passed this House it goes to another committee, without referring the matter in any way to the Post Office Committee, and gets an additional appropriation for the post-office service. Now, it is the purpose of the Post Office Committee to provide amply for that service. It has no desire to reduce the appropriations below what we think the service requires; and at the same time it seems to me, as long as appropriations are made as now by committees for the use of a particular service, that that committee should provide or pass on the entire appropriations for that service; that we should not fool ourselves by making an appropriation which is insufficient for any service and then go to some other committee, where we would all lose track of it, and get an appropriation for a deficiency brought about in such a way.

Mr. KEIFER. Further, I want to state I understand that while the Committee on the Post Office and Post Roads only had authority to make appropriations for the conduct of post offices since 1885, that it never had authority and has not now authority to make any appropriation for any kind of deficiencies. Paragraph 14 of Rule XI excludes that, and paragraph 3, relating to the Committee on Appropriations, expressly provides that that committee shall have jurisdiction of deficiencies of all kinds. Therefore, being somewhat jealous, as a member of the Committee on Appropriations, I would like to know how the gentleman's committee gets jurisdiction to make that deficiency appropriation.

Mr. WEEKS. The gentleman from Ohio indicates the prevailing temper of the Committee on Appropriations in regard to jealousy of the prerogatives of that committee. These will not be deficiencies until the 30th of next June. They have been included in our appropriation and made immediately available. If the gentleman from Ohio sees any way to do so, and he thinks the public service will be better served by getting them out of this bill when we come to read it, he is welcome to try it. I believe the public service will be served better if the Post Office Committee makes the entire appropriation for the post-office service.

Mr. KEIFER. Only in defense of the jealousy of the committee, I wish to say we have been trying in the Committee on Appropriations to follow the rule; and there has not been any effort to change it, so far as I know, by the distinguished gentleman from Massachusetts or by any other Member.

Mr. WEEKS. Now, Mr. Chairman——

Mr. FINLEY. Will the gentleman yield to me?

Mr. WEEKS. I yield to the gentleman from South Carolina

Mr. FINLEY. On page 43 of the Postmaster General's report there is an item of expenditure during the year on account of previous years of $6,786,394.11. Then lower down on the same page there is this deficit for the fiscal year ending June 30, 1910, of $5,881,481.95. Subtracting the deficit from the expenditures during the last fiscal year on account of expenditures for previous fiscal years, that leaves a surplus of $827,023. Now, has the gentleman any information as to the items of expenditures made on account of previous years?

Mr. WEEKS. Mr. Chairman, I have not that information, but I will furnish it to the gentleman from South Carolina later.

Mr. FINLEY. This shows that the postal service actually earned $837,000 last year more than was expended, and but for the payment on account of expenses for the service during previous years there would be no deficit. I would like to have the items going to make up the $6,786,394.11.

Mr. WEEKS. I will furnish that to the gentleman from South Carolina during the consideration of the bill. At this point I would like to include in the RECORD a footnote, on page 6 of the report of the Third Assistant Postmaster General, which relates to the subject under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The matter referred to is as follows:

Owing to a change by the Auditor for the Post Office Department in the manner of stating the yearly deficiency in the postal revenues by basing same upon the expenditures actually made during the year instead of including payments on settlement warrants on account of the fiscal year on which report is being made for three months after its close, the expenditures on account of the service of the fiscal year 1909 includes the sum of $6,186,192.99, and those for the fiscal year 1908 the sum of $7,086.98, which were included in the reported deficit for the fiscal year 1909. On the other hand, expenditures made in the first three months of the fiscal year 1911 on account of the fiscal year 1910 and prior years are not included in the reported deficit for the fiscal year 1910. The amounts are approximately equal. One of the most troublesome factors in postal accounting has thus been eliminated and the postal deficit is now correctly stated.

Mr. GOULDEN. If the gentleman will permit me, at this point, although it has not yet been reached, I want to refer to page 16 of the bill, lines 24, 25, and so forth—

For pay of letter carriers at offices already established, including substitutes for carriers absent without pay, City Delivery Service, $32,180,000. And the appointment and assignment of letter carriers hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and that the total number of carriers in the service June 30, 1912, shall not exceed 31,000.

Does that include a sufficient amount to advance to the higher grades the letter carriers in the first and second classes?

Mr. WEEKS. That provision is sufficient to provide for about 1,200 new letter carriers and to carry out all the provisions of the classification act.

Mr. GOULDEN. How many does that leave unprovided for who are entitled by efficiency and length of service to receive the higher grade salary.

Mr. WEEKS. It takes care of the provisions of the classification act and provides for promotion of 50 per cent of those in the $1,100 grade in first-class offices and 50 per cent of those in the $1,000 grade in second-class offices.

Mr. GOULDEN. How many of these carriers are now awaiting an opportunity or the good will of this House in order to receive that deserved promotion?

Mr. WEEKS. I can give the gentleman the exact number in each case.

Mr. GOULDEN. That is what I want. I would like to have the total in each grade who are denied or deprived of this increase of salary to which they are justly entitled.

Mr. WEEKS. Mr. Chairman, I can not allow the gentleman's statement that these men are justly entitled to promotion to pass without a protest.

Mr. GOULDEN. Why not?

Mr. WEEKS. Under the classification act they are automatically promoted in first-class offices until they reach the $1,100 grade and in second-class offices until they reach the $1,200 grade; but it does not provide that there shall be any promotion above those grades. The promotion above those rates of pay which is provided for is intended to be a reward for good service, and Congress has determined that 50 per cent of these men shall be promoted, dependent on their efficiency.

Mr. GOULDEN. By what rule is that percentage determined?

Mr. WEEKS. That has been the practice of Congress, and Congress has appropriated for it.

Mr. GOULDEN. The gentleman has not given me the number yet.

Mr. STAFFORD. If the chairman of the committee will permit me, there were on December 1, 5,206 in the $1,100 grade and 13,849 in the $1,200 grade, but of those 5,206 in the $1,100 grade there are a number who are serving at the maximum salary for second-class offices.

Mr. MANN. Will the gentleman read the $1,000 grade instead of the $1,100 grade?

Mr. STAFFORD. I have read the $1,100 grade. I can give the gentleman all the grades if he likes.

Mr. MANN. I have them, and I think I have them correctly.

Mr. STAFFORD. I am giving to the House the figures as furnished the committee by the First Assistant Postmaster General.

Mr. MANN. And of the $1,000 grade, they say 5,530——

Mr. STAFFORD. Are you referring to clerks or carriers?

Mr. MANN. Clerks.

Mr. STAFFORD. I am directing attention to carriers, not clerks.

Mr. MANN. I beg the gentleman's pardon.

Mr. GOULDEN. What amount would be required in order to cover all those entitled by merit and efficiency to be promoted in the first and second grade to full maximum salary?

Mr. WEEKS. The estimate, because of automatic promotions as provided for in this bill, is $621,935; that would include all grades of promotions. Therefore it would be fair to assume that if you were going to extend the classification act so that men would automatically reach the $1,200 grade in first-class offices and the $1,100 grade in second-class offices, it would probably increase the appropriation half a million dollars.

Mr. GOULDEN. Does not the gentleman think that that should be done?

Mr. WEEKS. I think that it should not be done.

Mr. GOULDEN. Why?

Mr. WEEKS. Because there is a vast difference between the quality of men in any service.

The CHAIRMAN (Mr. BOUTELL). The time assigned to that side of the House has expired.

Mr. MOON of Tennessee. I will yield the gentleman 15 minutes of my time.

Mr. GOULDEN. Mr. Chairman, I would like to ask the gentleman, the chairman of the committee, this question: The first-class offices, I am informed, would require $183,850; the second-class, $71,150; or a total of $255,000; and that that would carry up every man in the first and second classes to the maximum to which he would be entitled.

Mr. WEEKS. I do not think it would, but I have not the figures at hand.

Mr. GOULDEN. These figures were given to me by one who, I think, is well informed on that subject.

Mr. WEEKS. But if it would, I should be opposed to promoting men in that way.

Mr. GOULDEN. I am sorry that the gentleman from Massachusetts has not convinced me of the correctness of his views on this matter.

Mr. WEEKS. I am just going to try to do it. There is a vast difference in the quality of service of men in every service. Some men are careless and disorderly, make errors, are inattentive, while other men are careful, always prompt in attendance, do not make errors, and under an efficiency test in any service these men would be given preference. The classification act adopted by Congress did not intend originally to promote any of these men above the ten and eleven hundred dollar grades in the second and first class offices. But in order to furnish an incentive for excellent work we have established the custom of promoting 50 per cent of those who are most efficient as a reward.

Mr. GOULDEN. Who determines this 50 per cent?

Mr. WEEKS. Congress, by making the appropriations for it.

Mr. GOULDEN. What does Congress know about the efficiency of the carriers and clerks?

Mr. WEEKS. The department determines the efficiency of the clerks, but Congress determines the amount of the appropriation.

Mr. GOULDEN. Does not the gentleman think that favoritism is shown in determining this efficiency in many cases?

Mr. WEEKS. Oh, the gentleman from New York is too good a business man to ask me such a question as that.

Mr. GOULDEN. Complaints have come to me that there is favoritism shown in the matter of this efficiency.

Mr. WEEKS. Let me ask the gentleman from New York if he believes that there can be a group of 30,000 men anywhere who will not make complaint somewhere and somehow, at some time.

Mr. GOULDEN. I should think that might be possible.

Mr. SMITH of Michigan. Before the gentleman from Massachusetts concludes, I hope he will have something to say about the railway mail carriers. He was about to tell us something about that when he was interrupted.

Mr. WILSON of Illinois. Will the gentleman yield?

Mr. WEEKS. I will yield to the gentleman from Illinois.

Mr. WILSON of Illinois. Does the gentleman from Massachusetts contend that the 50 per cent which is provided in this bill covers all those who have a standard rate of efficiency in the service?

Mr. WEEKS. Yes.

Mr. WILSON of Illinois. Is that based on information that the gentleman has from the department?

Mr. WEEKS. Yes.

Mr. WILSON of Illinois. What is the rate of efficiency?

Mr. WEEKS. They take the 50 per cent that have the highest rate.

Mr. WILSON of Illinois. Do they actually do that?

Mr. WEEKS. As far as I am informed. I have investigated a few complaints, and I found that they were not made by responsible persons.

Mr. WILSON of Illinois. Where a great many clerks in the service have practically the same rate of efficiency and they can not all be covered by the 50 per cent increase, then what is the method of procedure?

Mr. WEEKS. Mr. Chairman, they, as a matter of fact, do not have the same rating of efficiency, many of them. The efficiency is based on 100 per cent and is so divided that one man would have 90.90 per cent and another 90.09 per cent and another 90.89 per cent, and I do not think there are very many cases in any post offices where the percentages are the same; and I have not had a single definite complaint in cases where there were two men having exactly the same per cent and where one of them was promoted and the other was not.

Mr. WILSON of Illinois. That may be true, of course, in some cases; but I have seen cases where one of the highest efficiency has been turned down and those that are lower advanced in his stead, and I find this appropriation in the last two or three years does not appropriate sufficient for the boys who have done efficient work year in and year out, and a great many of them are still working at the same grade.

Mr. WEEKS. I want to say once more that I greatly regret that Members of the House do not come to the Committee on the Post Office with these complaints while the bill is under consideration and at a time when we can have before us the department officers and obtain the information of which they make complaint.

Mr. MANN. Well, the gentleman gets it now, and he got it last year. He ought to be able to remember it very well. We have other things to do besides running the Committee on the Post Office——

Mr. WEEKS. Oh, there is no necessity of anyone running the Committee on the Post Office.

Mr. MANN. Running to it; excuse me.

Mr. WEEKS. Except the committee itself. Furthermore, the committee believes that every Member of this House who will take the trouble to read the hearings will see that the committee has interrogated the department officers in a way to get at all the necessary facts regarding these questions.

Mr. MANN. Then undoubtedly the gentleman can give me the information I should like to obtain. Why is it the department this year did not promote 50 per cent of the $1,100 clerks to the $1,200 positions, as provided by the appropriation act?

Mr. WEEKS. Mr. Chairman, the committee has not any information that it failed to do so. In fact the committee is informed that the money provided was sufficient to make these promotions, and substantially that the promotions were made.

Mr. MANN. That 50 per cent of the promotions were in fact made?

Mr. WEEKS. Yes; were in fact made.

Mr. MANN. Then, of course, you very greatly overestimated the number that was expected to be made. You provide in the current law for 10,345 clerks in the $1,200 grade, and you had in the service on the 1st of December 8,941 only, something more than a thousand less than were authorized.

Mr. WEEKS. If the gentleman will carefully look at the debate of last year in the hearings he will find that this——

Mr. MANN. Oh, I do not need to look at the debates. I have a very particular recollection of what took place last year.

Mr. WEEKS. You will find that is due to the fact that every supervising officer in this bill in the post office has been promoted above the $1,200 grade——

Mr. MANN. I am not talking about this bill, but about the current appropriation law, as to why what we provided for last year has been carried out by the department.

Mr. WEEKS. The department has carried out the provision made last year by promoting 50 per cent of the men in the first-class post offices in the $1,100 grade and 50 per cent in the $1,000 grade.

Mr. MANN. We provided in the current law for 10,345 clerks in the $1,200 grade. There are or were on the 1st of December 8,941, nearly 1,500 less than were authorized by the law. Now, why is that?

Mr. WEEKS. Well, one reason for that, Mr. Chairman, is that there were some 800 clerks available for appointment, and the appointments were not made. I do not remember the exact number. There was not money enough available for their appointment without using additional appropriations which was allowed by the Treasury Department. And, furthermore, these promotions are made by quarters, and the present fiscal year has not expired. I do not know what the date of the gentleman's figures are.

Mr. MANN. I told the gentleman three times those are the figures submitted to the committee December 1, 1910.

Mr. WEEKS. If those figures were before the 1st of January, there were only two quarters covered.

Mr. MANN. But most of these promotions come on the 1st of July. The gentleman understands that perfectly well.

Mr. WEEKS. The gentleman is mistaken.

Mr. MANN. The gentleman is not mistaken about that.

Mr. STAFFORD. If the Chairman will allow, the gentleman from Illinois is proceeding upon an erroneous assumption. Last year when this matter——

Mr. MANN. Does the gentleman mean I am proceeding on an erroneous assumption when I say there was appropriated in the current law for 10,345 at $1,200 and——

Mr. STAFFORD. The Chairman wishes to go ahead, and I will reserve an explanation until we reach that item.

Mr. WEEKS. Mr. Chairman, I want to call the attention of the gentleman from Illinois to the estimates for the automatic service provided for under the classification act in this bill. For July 1, 1911, this is for the bill now under consideration, $475,000. For October 1, 1911, $230,000——

Mr. MANN. What does that mean?

Mr. WEEKS. For January 1, 1912, $115,000, and for April 1, 1912, $50,000, or about one-half of the money appropriated for promotions applied to the 1st of July, and the balance is divided during the year.

Mr. MADDEN. Will the gentleman permit a question?

Mr. WEEKS. Certainly.

Mr. MADDEN. Is it discretionary with postmasters in first and second class offices to promote a man who has the proper rating from the $1,000 place to the $1,100 place or the $1,100 to the $1,200 place? Is he allowed to refuse to promote?

Mr. WEEKS. I do not think that is customary.

Mr. MADDEN. Is it permissible?

Mr. WEEKS. I do not think it is intentional.

Mr. MADDEN. Is it practiced?

Mr. WEEKS. I never knew it had been practiced.

Mr. MADDEN. Is it not a fact that the postmaster exercises the right to promote a man regardless of what his rating may be and to promote a man serving in the mailing division from eleven to twelve hundred dollars, in preference to a man in the money order or the registry or city division, regardless of whether the man promoted had as high rating as the other man had?

Mr. WEEKS. I think the facts are directly to the contrary.

Mr. MADDEN. That is the practice; I know that is the practice.

Mr. WEEKS. I would like to have the information from the gentleman from Illinois, because I have investigated that very point in one or two post offices, and I know it is not so in the offices which I have investigated.

Mr. MADDEN. I can say to the gentleman from personal knowledge that it is so.

Mr. WEEKS. I will be greatly obliged if the gentleman will give the dates, names, and all the facts.

Mr. SCOTT. Will the gentleman permit a question?

Mr. WEEKS. Certainly.

Mr. SCOTT. We have heard a good deal through official reports and other publications of the large economies which have been brought about in the postal service during this year, and I have heard complaints that those economies have been practiced at the expense of the efficiency of the service.

I would like to inquire of the gentleman whether he has looked into that during the hearings and is able to give the House any information as to whether such complaints are well founded?

Mr. WEEKS. I think the statement made by the gentleman from Kansas is probably correct, that there have been rumors and reports that economies which have been brought about have been made at the expense of the efficiency of the service. It is the intention of the committee to give the department all the money necessary for the service, and we have repeatedly stated to those who have appeared before us that we had no desire to reduce appropriations below a point which would give an efficient service, and that we wanted to have it properly provided for.

Now, I have noted that there are complaints, and occasionally there may be a just complaint, that the service has not been efficient. Still, as far as the committee has been able to determine, the service has been as efficiently performed during the past year as ever before. In the Railway Mail Service, to which the gentleman from Michigan [Mr. SMITH] has called my attention, there has been more or less complaint. There has been an attempt made to take up the slack in the service in order to see if possible that all men were performing about the same amount of service. Now, anybody who has observed it must know that there is a great difference in the requirements of our railway post-office clerks. On some trains, like trains between large cities, trains between Washington and New York, for instance, or between New York and Chicago, the men work pretty constantly. On other trains running through sparsely settled countries the men do not work constantly, and perhaps not more than half the time or three-quarters of the time. There is a material difference in the service. And wherever these complaints have come to the chairman of the committee he has suggested to the department that an inspector, or divisional superintendent, or a general superintendent, if necessary, be put on that particular train to travel with those men a sufficient length of time to determine whether they were doing more work than was proper.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SMITH of Michigan. I ask that the gentleman's time be extended.

The CHAIRMAN. The Chair will state that the time is divided by the House. There are 21 minutes remaining to the the gentleman from Tennessee [Mr. MOON].

Mr. MOON of Tennessee. Does the gentleman from Massachusetts require more time?

Mr. WEEKS. Unless the gentleman from Tennessee [Mr. MOON] wishes to use his time.

Mr. MOON of Tennessee. I am informed by the Chair that I have 21 minutes remaining, and I will be glad to yield 15 more minutes to the gentleman from Massachusetts, if he desires it.

Mr. WEEKS. I will be glad to complete my answer.

The CHAIRMAN, The gentleman from Massachusetts [Mr. WEEKS] is recognized for 15 minutes.

Mr. WEEKS. The effect is, then, that the department is taking cognizance of the complaints that have been made by the railway post-office clerks. It has been investigating them, and I believe it has made such changes that those complaints will cease from this time on. In other words, if there was any unfairness or unusual amount of service imposed on any men or on any group of men, that condition has been or will be very soon corrected.

Mr. SMITH of Michigan. May I ask the gentleman if there is any provision for any increase of salary of the rural free-delivery carriers in this bill?

Mr. WEEKS. None in this bill.

Mr. MADDEN. Will the gentleman answer me a question? Does the chairman of the committee know how the department is going to promote the number of men between now and the end of the fiscal year provided for in the current appropriation bill, with only $8,000 of a balance on hand the 1st of December?

Mr. WEEKS. That $8,000 is for additional clerks. Last year the provision in the bill which limited the expenditure of the amount of money carried in the bill and the number of clerks to the number provided for in the bill was stricken out on a point of order made by the gentleman from Illinois [Mr. MANN]. The Treasury Department——

Mr. MANN. And resulted in a great economy in the service, by the way, of several millions of dollars to the service.

Mr. WEEKS. The Treasury Department in making up these estimates does not figure that these men will be taken on at different times during the year, but it estimates their pay for the full year, and therefore the Treasury Department in making this estimate for the clerks for this year, instead of leaving it $33,900,000, as this House provided, increased it to $36,150,000.

Mr. MANN. The Treasury Department does not make the estimates.

Mr. WEEKS. If the gentleman will permit me to finish my statement, the Post Office Department——

Mr. MANN. I am very sorry I interrupted the gentleman to correct such a manifest error as the gentleman was making.

Mr. WEEKS. The Post Office Department has respected the intention of Congress and has not spent more than $33,900,000—in fact, has spent $8,000 less. But it is making savings under other appropriations, for extra clerks and auxiliary clerks; so it is thought that there will be sufficient to provide for the additional service required until the end of this fiscal year.

Mr. MADDEN. Did I understand the gentleman to say that they could use this money they were saving from other sources for the employment of additional clerks?

Mr. WEEKS. They can use it for the purpose for which it was appropriated.

Mr. MADDEN. Have they as a matter of fact used it?

Mr. WEEKS. They can use it.

Mr. MADDEN. As a matter of fact all they have appointed is 576, and all they can appoint with the available funds at their disposal will be 40 more, making 616; whereas the gentleman representing the Committee on the Post Office and Post Roads in the House made the statement last year that he was making provision for 1,520 clerks, and the gentleman from Wisconsin [Mr. STAFFORD] made the statement in that connection that provision was being made for 2,160.

Mr. WEEKS. It depends altogether upon when the clerks are appointed. If they are appointed at the beginning of the year, they have to be paid a year's salary; and it requires four times as much money as when appointed at the beginning of the following April. But the department has informed the Post Office Committee that the $33,900,000 which Congress actually appropriated for this service will be sufficient, with the savings made in other matters, to provide for the service until the end of this fiscal year.

Mr. MADDEN. But with all the fund now available only 40 can be appointed between now and the end of the year.

Mr. WEEKS. That will be sufficient by employing auxiliary clerks and substitutes.

Mr. MADDEN. The committee said last year it provided for 1,520 clerks, 904 more than can possibly be employed for lack of funds. Because of this, the clerks have been obliged to work overtime without any compensation.

Mr. MANN. That statement last year was made in a Pickwickian sense.

Mr. PEARRE. Will the gentleman kindly tell me——

Mr. WEEKS. Will the gentleman permit me to reply to that suggestion? I would like to say a word in regard to the statement made by the gentleman from Illinois about the clerks working overtime. There are in the Chicago post office, to which I presume he refers, 2,921 clerks. The average time they worked week days last year was 7 hours and 48 minutes. It is the intention of the department that clerks shall work eight hour a day, or about eight hours a day. Some clerks do work somewhat more than eight hours and other clerks somewhat less than eight hours; but the clerks in the Chicago post office on an average worked 12 minutes less than eight hours a day during the time this average was taken.

Mr. WILSON of Illinois. That refers to all the clerks in the post office?

Mr. WEEKS. All the clerks.

Mr. WILSON of Illinois. That does not specify any that worked overtime?

Mr. WEEKS. That is the average.

Mr. WILSON of Illinois. As a matter of fact, the clerks in the mailing division and the city division work 10 and 11 hours a day, year in and year out. These other clerks, filling other positions, reduced the average to such an extent?

Mr. WEEKS. Well, Mr. Chairman, during the holidays of these clerks that the gentleman from Illinois states worked 10 and 11 hours a day, the mailing clerks at the Chicago office only worked 8 hours and 48 minutes a day during the Christmas week. Is it probable if these men worked 10 or 11 hours a day through the year they only worked 8 hours and 48 minutes during the holidays?

Mr. MADDEN. There is not a day in the year in which the employees in certain divisions do not work overtime.

Mr. WEEKS. Oh, well, I have no disposition to deny the statement that certain clerks at certain times probably work overtime; but I am giving the average time taken in that post office, which is 12 minutes less than the required time, for the time during which this average was taken.

Mr. MANN. That being the case, is the gentleman willing to accept an amendment providing that the clerks shall not be required to work more than eight hours a day by the week?

Mr. WEEKS. I am certainly not willing to accept such an amendment, and I believe it would be bad policy to incorporate it in the bill.

Mr. MANN. If they do not do it, and the gentleman insists that they do not, what objection has the gentleman to the amendment?

Mr. WEEKS. They do not do it on the average, but there are times when it is necessary for the clerks to work longer than eight hours. During the holidays, for instance, the service would not be properly performed unless the clerks did work over eight hours; and I want to say, to their credit, that they do not hesitate to work over eight hours when their services are required under such conditions.

Mr. MANN. I do not know how familiar the gentleman may be with the way they get at that information. Of course there are a great number of sets in the Chicago post office, including some in the registry division and some in the money-order division, which do not work a long time, and some in the mailing divison, in the day sets, who do not work so long. That does not affect the question how long other clerks may be required to work, and that is what we want to get at.

Mr. WEEKS. I can give it for the holiday week for all the clerks in the Chicago post office.

Mr. MANN. Can the gentleman give it for the week preceding holiday week?

Mr. WEEKS. I can furnish that information.

Mr. MANN. So can I. We get these statements by sets and it indicates how long a certain set works.

Mr. WEEKS. The gentleman from Illinois gets his statement from one source and the committee get theirs from another.

Mr. MANN. The gentleman has no right to make that statement, because it is not true. He gets his statement officially, and so do I get mine. They all come from the postmaster at Chicago—absolutely the same information.

Mr. WEEKS. I regret that the gentleman should make any such statement as that the chairman of the committee has made a statement on this floor which is not true.

Mr. MANN. I regret that the gentleman made the statement.

Mr. WEEKS. The gentleman is not justified in saying that. I want to say that I do not get my information from the postmaster at Chicago, where the gentleman from Illinois gets his.

Mr. MANN. No; he gets it here, but——

Mr. WEEKS. I get my information from the department.

Mr. MANN. And the department here gets it from the postmaster at Chicago.

Mr. WEEKS. Therefore the statement made by the gentleman from Illinois is not true. I do not think he intended deliberately to imply that the chairman of the committee had made a statement which was not true, but he ought to be more careful in his statements on this floor.

Mr. MANN. The gentleman ought to be more careful.

Mr. WEEKS. I have told the gentleman from Illinois that he gets his information from the postmaster at Chicago, and he admits it, and the gentleman from Illinois said the chairman of the committee got his information from the same source.

Mr. MANN. He does.

Mr. WEEKS. No; he does not.

Mr. MANN. The same source, absolutely.

Mr. WEEKS. He gets his information from the department.

Mr. MANN. And the information which he gets through the department comes from precisely the same source, the postmaster at Chicago.

Mr. KEIFER. You are both right about it. There is no trouble.

Mr. PEARRE. Will the gentleman yield for a question?

Mr. WEEKS. I will.

Mr. PEARRE. I should like to ask the chairman of the committee whether, in the opinion of the committee, the appropriations carried in this bill are sufficient to provide for the natural and proper extensions in the postal service.

Mr. WEEKS. I have not any doubt about it.

Mr. PEARRE. Especially with reference to the Rural Free Delivery Service?

Mr. WEEKS. I have not any doubt about that. We have provided in this bill for the establishment of about 1,200 routes.

Mr. PEARRE. The gentleman doubtless knows that there are a great many rural petitions pending now?

Mr. WEEKS. Yes.

Mr. PEARRE. In the Post Office Department?

Mr. WEEKS. Yes.

Mr. PEARRE. Are they provided for by the appropriations in this bill?

Mr. WEEKS. It will provide for about 1,200 new routes.

Mr. BUTLER. Mr. Chairman, I regret very greatly that I was unable to be present at all times, so that I could have heard all the gentleman from Massachusetts has had to say in the way

of an explanation of his bill. In this statement I am thoroughly in earnest, and therefore I must beg the gentleman's pardon for asking him questions which may require him to repeat himself in making an answer. I readily understand that there is no provision in this bill for the establishment of what is known as a parcels post. Has the gentleman's committee considered such a measure; and if so, will he give us any information what the result has been?

Mr. WEEKS. Mr. Chairman, last year this committee gave protracted hearings on the parcels post. There is nothing included in this bill on that subject, because it would be subject to a point of order if it was in the bill. It is a large matter and ought to be considered independently. It is the purpose of the chairman of the committee to call the committee together after the consideration of this bill and to take up that matter and see what disposition of it the committee will make.

Mr. BUTLER. Let me see if I understand the gentleman correctly, because there is a great deal of inquiry as to whether or not this form of service is to be at any time instituted. There has been a demand for such service for years, especially from the rural sections of the country. After this bill is passed through the House I understand the chairman of the committee to say that he will submit the question of parcels-post service to his committee for its action.

Mr. WEEKS. I will; that is my intention.

Mr. BUTLER. The gentleman's word is as good as his bond, and the country may expect some conclusion by Congress on this subject.

Mr. MOON of Tennessee. Mr. Chairman, I believe there is only a few minutes remaining for debate on this side, and unless some gentleman wishes to take the floor I will ask for the reading of the bill.

The CHAIRMAN. If there is no further general debate, the Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $3,000 each; 10 inspectors, at $2,400 each; 15 inspectors, at $2,250 each; 26 inspectors, at $2,100 each; 15 inspectors, at $2,000 each; 29 inspectors, at $1,900 each; 65 inspectors, at $1,800 each; 75 inspectors, at $1,700 each; 75 inspectors, at $1,600 each; and 65 inspectors, at $1,500 each; in all, $704,450.

Mr. MANN, Mr. MACON, and Mr. FOSTER of Illinois reserved a point of order.

Mr. MANN. Mr. Chairman, I would like to ask the chairman of the committee whether this increases the amount appropriated for salaries for these inspectors over the amount now carried in the current law, both in this and in the legislative bill.

Mr. WEEKS. It does.

Mr. MANN. How much is the increase?

Mr. WEEKS. The increase in the total amount is $45,500.

Mr. MANN. That is the increase over the current appropriation?

Mr. WEEKS. Over the current appropriation act for salaries.

Mr. MANN. Yes; but that is not what I asked the gentleman. I understand you have transferred from the legislative bill a number of inspectors under this item.

Mr. WEEKS. Twelve.

Mr. MANN. How much did you strike out of the legislative bill?

Mr. WEEKS. We struck out provision for 12 inspectors and their per diem.

Mr. MANN. How much is the increase over the combined salaries now carried in the two laws?

Mr. WEEKS. Of the combined salaries the increase is $45,500.

Mr. MANN. So that so far as the salaries are concerned, this method of economy, as is the usual method of economy, results in an increase of expenditure?

Mr. WEEKS. As far as that service is concerned, Mr. Chairman, it is a kind of economy that the Post Office Committee likes to see—that is, a reduction of the total expenditure.

Mr. MANN. The gentleman from Massachusetts was present when the legislative bill was under consideration, and under the statement by the gentleman from Massachusetts that he would be able to economize we struck out the item for such a number of inspectors on the legislative bill, and the result is an increase of salary of all the inspectors.

Mr. WEEKS. The gentleman from Illinois is wrong in that statement. It increases the salary of all field inspectors, but does not increase the salaries of the city inspectors, who have heretofore been paid actual expenses. It increases the salary of all inspectors who heretofore have been receiving a per diem of $4, because the per diem is reduced to $3.

Mr. MANN. The per diem is another proposition; it increases the salary of all field inspectors. How many are there?

Mr. WEEKS. Three hundred and thirty-five, as provided for in this bill.

Mr. MANN. How many city inspectors?

Mr. WEEKS. Fifty-five.

Mr. MANN. It practically increases the salaries of all inspectors?

Mr. WEEKS. It actually increases the salaries of 335 inspectors.

Mr. MANN. Out of less than 400.

Mr. WEEKS. Out of 390.

Mr. MANN. I was afraid that that movement of economy the other day would result in that sort of thing, although I followed the lead of the gentleman from Massachusetts at that time on the legislative bill.

Mr. WEEKS. Well, Mr. Chairman, I have explained very carefully why we have done it. I would like to do it once more——

Mr. LLOYD. Mr. Chairman, I think the gentleman from Illinois [Mr. MANN] has not fully understood the statement of the gentleman from Massachusetts.

Mr. MANN. Oh, I think I understand his statement. His statement a little while ago was that they had taken off some of the perquisites, and in order to make up for the perquisites, which never were contemplated to be given at all as perquisites, they had increased the salaries. Is not that the situation?

Mr. LLOYD. They have actually increased the salaries, but they have cut down the per diem, and in cutting down the per diem the amount that is expended for salary and per diem is less than it was before.

Mr. MANN. But a large number of the inspectors did not receive all of this per diem, or any portion of it, and they all receive an additional salary.

Mr. WEEKS. Mr. Chairman, assuming that the gentleman from Illinois has asked me a question——

Mr. MANN. Oh, I beg the gentleman's pardon, I have the floor.

Mr. WEEKS. I had supposed the gentleman from Illinois asked a question.

Mr. MANN. I did it in my own time.

Mr. WEEKS. Does the gentleman from Illinois want an answer to his question?

Mr. MANN. I am sitting down now so that the gentleman from Massachusetts may have an opportunity to answer it.

Mr. WEEKS. That is what the gentleman from Massachusetts was proceeding to do.

Mr. MANN. I do not know that I will get it, but I hope so.

Mr. WEEKS. Heretofore all these inspectors have been paid salaries ranging from $1,200 a year to $1,800 a year, and they have been paid a per diem of $4 a day. The way the department has applied that per diem has been, whenever an inspector was away from his domicile at least six hours in a day he has been allowed the per diem.

For instance, if he were stationed in Washington and was sent to Alexandria to make an inspection and was gone eight hours he would be allowed $4 for the service; but extending that answer, if he were stationed in Chicago and was sent off for a week's trip, he would be allowed the $4 a day in exactly the same way. In the one case he would be at his home overnight and he would receive the $4 just the same, but the only expense that he would be put to away from his home would be for the midday meal. In the other case he would not only be put to the expense for his midday meal, but also have to pay for his breakfast and the third meal of the day and his lodging—a vital difference. As a matter of fact, that has worked unequally. Men receiving the same rate of pay have been stationed in parts of the country so that in one case a man would make three or four hundred dollars out of his per diem and in other parts of the country he would make nothing. Now, in order to equalize that, Congress at the last session asked the department to take a three-months' statement from the inspectors in the field of their actual expenses. The returns for those three months, made by 262 inspectors who were in the field every day, showed that they expended just about three-quarters of the per diem allowance. Therefore we assume, as a general practice, that $3 per day is sufficient for the per diem allowance, and we have cut the per diem allowance of all field inspectors—335 men—from $4 a day to $3 a day.

Mr. MADDEN. How does that affect the city men?

Mr. WEEKS. The city men continue exactly as they have been heretofore, receiving the pay allowed under the law and their actual expenses. Now, in order to give these men what we believe to be a sufficient salary, we have raised the salary

of every man in the field service, reducing to that extent the apparent saving that has been made by reducing this per diem. In other words, the Treasury is some $51,000 better off than it would be if we had not recommended this change, and we are starting men in the service, not at $1,200 a year, but at $1,500 a year, which we believe will get a better grade of men in the service than they have been able to obtain up to this time. The department has been complaining for many years every year that the initial salary for inspectors was so low that they did not get the best men in the service. They went in at $1,200, the same salary paid a letter carrier or a clerk, and remained in the service three or four or five years, and it is undoubtedly a fact that they should be men of high qualifications and should receive a larger salary than a man receiving $1,200 and employed as a clerk or carrier. We believed we were equalizing the pay of the men in the field service more nearly than we have heretofore, and we have made a net saving to the Government which we call economy.

The CHAIRMAN. I will ask the chairman of the Post Office Committee in regard to the provision authorizing the creation of these inspectors. Is it a general authority fixing the salary, or has it been left to appropriation bills?

Mr. WEEKS. Mr. Chairman, if I understand the situation, the point of order has been reserved on this paragraph, but has not been pressed.

The CHAIRMAN. The Chair will ask the gentleman from Arkansas.

Mr. MACON. Mr. Chairman, I reserved the point of order to ascertain if there is any law authorizing the increase of the salaries of these inspectors. I will reserve the point of order until I hear from the chairman of the committee.

Mr. MADDEN. I would like to ask the chairman of the committee a question.

Mr. WEEKS. Certainly.

Mr. MADDEN. The gentleman from Massachusetts stated a short time ago that all of the field inspectors had their pay increased according to the recommendations of the committee.

Mr. WEEKS. Their salary; that is correct.

Mr. MADDEN. And that the per diem was reduced. Will the chairman of the committee state to the committee whether the field inspectors include men who are doing work like the work in the cities.

Mr. WEEKS. Mr. Chairman, all of the men who are performing inspection service in the cities are known as city inspectors. There are 55 of them, and they are allowed their actual expenses and never have been allowed a per diem.

Mr. MADDEN. Is there any reason why the work that these city inspectors are called upon to perform is not quite as important as the work performed by the field inspectors, so called?

Mr. WEEKS. I think not, but they get a higher rate of salary. The lowest salary paid to city inspectors is $2,000 and the highest is $3,000.

Mr. MADDEN. Is there any increase provided for these inspectors in this bill?

Mr. WEEKS. None whatever.

Mr. MADDEN. And they get no per diem allowance at all?

Mr. WEEKS. They get their actual expenses.

Mr. MADDEN. Are those men likely to be called into the field service for duty?

Mr. WEEKS. They have not been, at least it is not the practice to do it.

Mr. MADDEN. Is the work they do more or less important than the work done by the field service?

Mr. WEEKS. I could not say about that. It might be in some cases more important and in some cases less important. I think they are about the same quality of men in both services.

Mr. MANN. How does the salary of a field inspector and city inspector compare according to the recommendation of the committee?

Mr. WEEKS. The highest salary, except in the case of men transferred from the classification and registry rolls and the Salary and Allowance Division and the inspectors of the Railway Mail Service, the highest salary recommended by the committee for field service will be $1,900; the lowest salary will be $1,500 as recommended by the committee, except there are 26 men transferred from these divisions to which I have referred who will receive $2,100. These are the men formerly in the Salary and Allowance Division and the Railway Mail Service.

Mr. MADDEN. The gentleman did not answer my question. The question was, How does the salary for the field inspector compare with the salary for the city inspector?

Mr. WEEKS. The salary paid the field inspectors is less than that paid the city inspectors.

Mr. MADDEN. There is no recommendation whatever regarding the salary of the city inspectors?

Mr. WEEKS. No change in their salaries or allowances.

Mr. MADDEN. As a matter of fact, the reason why the per diem allowance of the field inspector was reduced was because it was the desire of the committee to bring the allowance within the expenditure?

Mr. WEEKS. The reason it was reduced, Mr. Chairman, was because the committee believed they were receiving more per diem allowances than they needed for the service.

Mr. MADDEN. That is what I say.

Mr. WEEKS. And the returns for three months indicated that was the fact.

Mr. MADDEN. Is that a good reason why the salaries of the men who were allowed $4 and had their per diem reduced to $3 should be increased?

Mr. WEEKS. We think it is. The reason why is because, as I have stated, heretofore the department has repeatedly complained that the inspectors in the lower grade were not receiving sufficient salaries, and they were unable to get the best men in the service on that account.

Mr. MADDEN. If the men in the city inspection service should be called on to do field inspection service, would they get the per diem allowance?

Mr. WEEKS. Under limitation. No inspector getting over $2,000 a year is given anything more than his actual expenses.

Mr. MADDEN. Then there is an exception.

Mr. WEEKS. In 26 men.

Mr. MADDEN. As a matter of fact, there are men who are in the inspection service getting per diem allowance and receiving more than $2,000 a year?

Mr. WEEKS. Those are the 26 men I referred to as being transferred into the general field-inspection service.

Mr. MADDEN. Why is that exception made?

Mr. WEEKS. Because, if we had not done so the salaries of those men would have been materially reduced. They have heretofore reported to the Superintendent of the Railway Mail Service or to the Second Assistant Postmaster General or to the First Assistant Postmaster General. Hereafter they will report to the chief inspector, and they are performing field service.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. MADDEN] has expired.

Mr. COX of Indiana. Mr. Chairman——

The CHAIRMAN. Does the gentleman address himself to the point of order?

Mr. COX of Indiana. The point of order has been reserved, as I understand it. I am very glad, Mr. Chairman, to see the Post Office Committee recognize what I have sometimes regarded as a wrong and an injustice. Since I have been a member of the Committee on the Post Office and Post Roads I have felt that these per diem allowances was too much to be paid to these inspectors. I have felt that it was an indirect way of increasing their salaries, something that was unfair, and that if the salaries were not high enough they ought to be increased.

When the post-office bill was under consideration last spring I offered an amendment proposing to reduce the per diem allowance from $4 to $3 a day, but did not get very much support.

Mr. Sharp, testifying before our committee on the same point that was then discussed and that is now under consideration, more or less, testified as follows:

> Mr. SHARP. This summary includes 262 inspectors. The reason for including only 262 inspectors is that we picked out inspectors who served the full three months, so that the committee could get an accurate idea from the figures, although I have the full list of the expenses of every inspector. In order that a fair and a right average might be obtained, we have taken only those inspectors and listed them for your use who served the full time and who drew per diem for the particular days, not including those days which the inspectors did not draw per diem for, and for a sum total, covering all divisions, the average per diem was $270.23, and the expenses of the inspectors were $175.48, making an excess of per diem over expenses for the entire country of $94.75.

Last spring, when this bill was reported, I felt that the per diem ought to be reduced. To some class of inspectors the per diem is $4 and to another class of men traveling in the interest of the Post Office Department the per diem is only $3, and in many of the appropriation bills the same irregularity obtains all the way through. I believe the committee in this instance has done a wise thing as far as it has gone, but I do believe, in the interest of economy, that it would be wiser yet for the Post Office Department to put all of these men upon an expense allowance and cut out the entire per diem of every one of them. I believe the Government would get the same service that it is already getting, and I believe in the last analysis it

would save thousands upon thousands of dollars to the Government annually if this per diem was taken away from all the inspectors and all the men who travel in the interest of the Post Office Department and put them upon an expense basis. I am not very much tinctured with the idea of this increase of salaries as reported in the bill, but I am in hearty sympathy and in thorough accord not only with the committee in reducing this per diem from $4 to $3, but I am in accord and in sympathy with the Post Office Department in reducing it, because I believe it will not cripple the service of the department, but that it will ultimately redound in countless thousands of dollars in the way of economy to the people of this country.

Mr. MANN. Mr. Chairman, I ought to say to the members of the committee who were not here at the time that for a number of years these inspectors have been carried on the legislative, executive, and judicial act. On the suggestion of the gentleman from Massachusetts, chairman of the Committee on the Post Office and Post Roads, the other day, the appropriation for these inspectors was stricken from the legislative bill in order to be inserted in this bill.

Now, I want to call the attention of the House to the result of this kind of economy. I do this with the greatest of respect not only for the chairman of the committee, but for the Committee on the Post Office and Post Roads. It may be that these inspectors ought to have their salaries increased, but the reason given is that heretofore an inspector in Washington would go to Alexandria and get $4 because of the expense of a luncheon there. Under this bill he can still go and get $3. No provision seems to have been made to meet that contingency at all; and if it be true that the Post Office Department has been in the habit of allowing inspectors $4 per diem when their only additional expense when away from home was a luncheon, the Post Office Department is subject to severe criticism. That practice ought to be corrected by some proposition emanating from the Committee on the Post Office and Post Roads. But what in fact is the economy that is accomplished? The gentleman from Indiana takes great credit to himself, and properly, for opposing the $4 per diem allowance. What is the result in the bill? The amount appropriated for this per diem allowance is reduced $37,000, but in the effort to save this $37,000, in order to accomplish that great economy and reduce the per diem from $4 to $3 and cut off $37,000 a year they have increased the salary allowances $131,000. That is a queer proposition of economy.

Mr. COX of Indiana. The gentleman understands that I am opposed to any per diem whatever. What I believe is that they ought to be put upon an expense basis.

Mr. MANN. I did not hear the gentleman's voice objecting to the item in the bill the other day as to allowances and salaries. Now, it may be a good thing for the Government. I will not say that it is not, in order to save $37,000 to expend $131,000; but really that is a kind of economy which I have not yet appreciated, although it is very often followed. I have frequently seen a case where a committee tried to work a reform and the expense of the reform was many times the amount supposed to be saved. I hope that the gentleman from Massachusetts may be able to show that there is a real economy here. Most of these inspectors are appointed either from the clerks' list or the carriers' list. There are thousands of clerks and carriers competent and would like to be inspectors at the same salary with $3 a day allowance. What per diem does such an inspector get when he is at home?

Mr. WEEKS. He does not get any; he gets his $1,900.

Mr. MANN. Very well, you provide that the man would get $1,900 and $1,000 allowance for salary; besides, the city inspector has to live and the country inspector has to live.

Mr. WEEKS. One at home and the other on the road.

Mr. MANN. The assumption seems to be that if a man stays at home it costs him nothing and if he goes away from home he ought to spend nothing. A man who receives a salary of $1,900 a year and his living expenses besides gets a good deal. I had a gentleman come to me the other day who was in the Life-Saving Service, who said that the men in that service only get so much, because the rest goes to pay their expenses for living. I said to him that I did not get any pay, because all my salary goes to pay my expenses of living.

Mr. FOSTER of Illinois. I reserve a point of order upon the paragraph.

The CHAIRMAN. Does the gentleman from Illinois address himself to the point of order?

Mr. FOSTER of Illinois. I expect to make the point of order upon the paragraph.

Mr. STAFFORD. I hope the gentleman will reserve his point of order.

Mr. FOSTER of Illinois. Oh, certainly.

Mr. MADDEN. It has been already reserved.

Mr. STAFFORD. I wish to be recognized.

The CHAIRMAN. The gentleman from Wisconsin is recognized to discuss the point of order.

Mr. STAFFORD. I do not care to discuss the point of order. I want to state the reasons which prompted the committee in making this change.

The CHAIRMAN. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for five minutes.

Mr. STAFFORD. I think the committee is laboring under some misapprehension as to the result of the action of the committee in increasing the salaries of these officials and at the same time cutting down the per diem allowance. The per diem allowance extends only to those inspectors who are engaged in the field. Under the last appropriation act it applied to the assistant superintendents connected with the various divisions, such as the Salary and Allowance Division, the Registry Division, the Classification Division, and the Railway Mail Division. Those who were——

Mr. CULLOP. Mr. Chairman——

Mr. STAFFORD. I decline to yield until I have finished my explanation. Those who were engaged as inspectors proper, who received salaries of $1,800 a year and under, also received a per diem of $4 a day.

Ever since I have been a member of the committee, for eight years, it has been called to the attention of the committee that in estimating the amount of per diem allowance to field inspectors it was estimated on the basis of 300 days a year, or a total allowance of $1,200, which was to be taken into consideration in determining the amount of their salaries. Last year, when the gentleman from Indiana [Mr. Cox] presented an amendment to reduce the per diem from $4 to $3 per day, I protested against it for the reason that it would result in fact in a diminution of salary, because it has been shown to the committee in numerous hearings in prior years that these inspectors do obtain some surplus of allowance out of the $4 per day, and in some cases it is as much as $600 a year.

Now, the committee believed it will be for the betterment of the service to reduce the $4 per diem to $3, but we did not believe it was fair and proper, if the per diem was really a part of a salary, as it is, and no one can dispute it who is acquainted with this service, that it was right to reduce their salaries. Accordingly, what have we done? We have not increased the total salaries, as has been stated, to the extent of $131,700. In no instance have we increased any salary over $300, and that only in the lowest grade, from $1,200 to $1,500. I wish the gentleman from Illinois [Mr. FOSTER] would pay attention to this.

Mr. FOSTER of Illinois. I am listening to the gentleman with great interest.

Mr. STAFFORD. Fifty, all in the $1,200 class, are promoted to $1,500, an increase of $300. Now, if we cut down their per diem $1 per day, we do not increase their actual pay a dollar, for most, if not all, saved this extra dollar, as their daily expenses did not equal $3 per day. In many instances, as provided in this bill, we are decreasing the actual pay, if you consider the allowance for per diem as a part of the pay, as it should be considered. With the men now receiving $1,400, 15 of the 110 will receive only $100 increase in salary, 75 will receive $200, and 25 $300 increase; with the 130 men now receiving $1,600, 50 will be increased $100 and the remainder $200.

Mr. COX of Indiana. Will the gentleman yield?

Mr. STAFFORD. I wish to continue with this explanation and then I will yield. In the $1,800 grade, where 10 men are employed, we only provide for an increase of $100 a year in the salary, and they thereby lose $200 as a net result of the cut in per diem. As to the assistant superintendents heretofore connected with the various divisions, the Salary and Allowance Division, the Registry Division, the Railway Mail Service, and the Classification Division——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COX of Indiana. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. As to these special agents connected with those divisions who have received $2,000, with the exception of the Railway Mail Service, who now receive $1,800, we merely provide an increase of $100, though we reduce their per diem allowance also. When you come to analyze the net result of our work, you will find that there has been—if you consider that the inspectors have been reserving some of this per diem allowance as a part of their pay—in fact a reduction in their pay.

Now, as to the reason why we reduced the per diem from $4 to $3 a day. The chairman of the committee has shown that in certain sections of the country there has been a great inequality of expenditure, and that in very few instances has the expenditure been greater than $3 a day.

Another reason which prompted the committee in cutting down the per diem allowance was that it would result in better service by not inducing the inspector to go out in the field and obtain the $4 a day, whereby, in some instances, they might save considerable as profit.

Mr. MADDEN. On the theory that the less inspection the better service you get?

Mr. STAFFORD. We do not withdraw the allowance of $3 per day, but the committee believe, following the example of allowing per diem as to the field men connected with the Indian Bureau and the various other divisions connected with the Department of the Interior, that it was better economy to allow a man a per diem rather than allow him actual expenses. When you come to analyze the net result of our work you will find that there is a total saving of $50,000.

If gentlemen wish to raise the point of order on the ground that there is an increase, they will have to take the responsibility; but the committee one and all believe that notwithstanding this moderate increase of salary, there is a net decrease, a net saving to the Government, of more than $50,000.

Mr. MANN. How does the gentleman figure that out from this appropriation?

Mr. STAFFORD. I will yield to the gentleman from Massachusetts, the chairman of the committee.

Mr. WEEKS. Mr. Chairman, I want to give the actual figures, so there will be no mistake as to the amount of money saved if this change is made.

Appropriations for the salaries of all kinds of inspectors this year is $704,450. The appropriation for salaries for the same inspectors last year was $658,950, making an increase of $45,500 in salaries. Now, there is a saving of per diem of $96,616, or a net gain of $51,116, substantially the figures just repeated by the gentleman from Wisconsin.

Mr. MANN. Where were these items carried last year?

Mr. STAFFORD. In different parts of the bill. Those under the Salary and Allowance Division were carried under the First Assistant Postmaster General; those under the Railway Mail Service in the classification of the railway mail clerks; those for the Classification and for the Registry Divisions in the legislative bill. They have been eliminated.

Mr. MANN. Then the committee has not followed the law in making up the bill.

Mr. STAFFORD. The committee has followed the law.

Mr. MANN. It may be that the committee is not familiar with the law on the subject.

Mr. STAFFORD. The committee is familiar with the law, but when the department has consolidated these various agencies that requires a new system we do not believe in following obsolete methods and complicating the bill, but in adopting reform methods.

Mr. MANN. Now, there was no statement made here before at all that any of the other inspectors were left out of this bill and inserted in this item.

Mr. STAFFORD. I thought the gentleman was laboring under a misapprehension, otherwise I would not have taken the floor.

Mr. MANN. I asked the chairman of this committee three different times about it, and could not receive the information. I did not hear the gentleman from Wisconsin.

Mr. STAFFORD. I thought the chairman of the committee had covered that question.

Mr. WEEKS. I did to the satisfaction of everybody except the gentleman from Illinois.

Mr. MANN. Everybody else was easily satisfied.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX of Indiana. I ask unanimous consent that the gentleman be permitted to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COX of Indiana. Per diem allowance being intended solely for the purpose of paying board, I want to ask the gentleman whether he thinks it to be the part of wisdom for Congress to appropriate more for the per diem than is absolutely necessary for the purpose of paying board.

Mr. STAFFORD. That is why I am an advocate of the $3 allowance; but, in addition to that, I do not believe it is right after the inspectors have for these many years been receiving $4 a day, part of which is profit, to have it taken away from them now without some compensation for it.

Mr. COX of Indiana. Will the gentleman yield for another question?

Mr. STAFFORD. Yes.

Mr. COX of Indiana. Whether or not he does not believe, as a result of his investigation and opinion on this point, that $3 per day will pay the per diem of every inspector, so far as his board is concerned?

Mr. STAFFORD. In a general way, yes; but there may be some instances when the inspector is obliged to remain out in the country for a long length of time that the $3 per day may not be sufficient, but in the large number of cases $3 a day is adequate, but being adequate it has been adequate all of these years. It has been called to the attention of the Post Office Committee ever since I have been a member of that committee that the inspectors' allowance for per diem was based on 300 days in a year, or $1,200, and we know that part of that allowance has been profit. We do not believe it is right that this class of servants—high, efficient servants—when we change the system of pay, should not be compensated in salary for a deduction in their pay.

Mr. COX of Indiana. If the gentleman admits that $3 per day is sufficient per diem, he must admit that Congress heretofore in making its appropriation at $4 a day has been doing something it ought not to do.

Mr. STAFFORD. I do not wish to disclose my position in the committee in contravention of the rule, but I have been from the first seeking to have the change made, and here we are going ahead with a reform in line with the suggestion of the gentleman made last year, doing equity to the men and justice by the Government.

Mr. COX of Indiana. I have always been of the opinion, or at least since I have been on that committee, that $4 a day was more than was necessary for the purpose of paying board, and that that was a direct, at least an indirect, way of increasing their salaries, and that if the salaries were not large enough, it was the duty of Congress to pass a bill increasing the salaries, and not attempt to do indirectly what we can not do directly.

Mr. STAFFORD. It has been regarded by members of the committee for years that a part of this per diem was really a part of their salaries, and now we are attempting to equalize their salaries and reduce the per diem to a more equitable amount.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MANN. The gentleman from Massachusetts gave an instance of an abuse under the per diem system, where a man was paid $4 per day and it appeared that he only took his lunch away from home. Has the committee endeavored to rectify that in this new proposition at all?

Mr. STAFFORD. Oh, there will be abuses under any system, but the committee has been of the opinion that it would be more susceptible to abuse if we allow these men their actual expenses than by limiting them to a per diem allowance. We have tried the other system of allowing their actual expenses and it has resulted in larger expenditures. Now, we are adopting a system that results in economy, and I hope that no gentleman in this House will, under the guise of economy, make the point of order against this provision, which will result in a net saving of more than $50,000 annually to the Government and in better service.

Mr. MANN. Now, will the gentleman yield for a question which he will answer? The chairman of the committee gave a glaring instance of the abuse of the per diem system as one of the reasons for this change. What I want to find out is whether the committee has made any effort to rectify that abuse.

Mr. STAFFORD. We are attempting in a way to rectify it.

Mr. MANN. How?

Mr. STAFFORD. By not allowing such a large inducement as $4 a day to be a magnet to attract an inspector to the field, and therefore we make it $3 a day, which more nearly compares with his actual expenses.

Mr. MANN. Before we paid $4 for a lunch and now we propose to pay $3.

Mr. STAFFORD. There are other expenses covered besides a lunch by the allowance.

Mr. FOSTER of Illinois rose.

Mr. MADDEN. I desire to ask the gentleman a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. I ask that the gentleman be given time enough to answer the question.

Mr. FOSTER of Illinois. I will yield to the gentleman to ask a question.

The CHAIRMAN. Does the gentleman from Illinois desire to be recognized on the point of order?

Mr. FOSTER of Illinois. I do.

Mr. MADDEN. I understood the gentleman from Wisconsin to say that the reason why these inspectors' salaries were raised is that the salaries of inspectors were raised because the per diem allowance was reduced.

Mr. STAFFORD. That is the reason.

Mr. MADDEN. And that it was not because there was any merit in it per se. Is that the case?

Mr. STAFFORD. I think I have stated to the House the reason why the per diem has been reduced. This per diem has been considered part of the salary, and we did not think it was right or equitable to cut down the allowance without increasing the pay to some extent proportionate to the amount we cut the allowance.

Mr. MADDEN. Then, as a matter of fact, the salaries were not increased on the merits of the question; they were simply increased because you considered the compensation allowed for per diem expenses was a part of the salary.

Mr. STAFFORD. It has always been claimed by the department officials when they came before the committee that the per diem allowance to a certain extent was part of the salaries.

Mr. MADDEN. It ought not to be.

Mr. FOSTER of Illinois. Mr. Chairman, the reason assigned by the committee in cutting down the per diem and increasing the salary is to make up for what they might lose on the per diem. I have been unable yet to figure how we are going to save $50,000 by this change in the law. More than that, Mr. Chairman, if the per diem has been at $4 a day and it has been too large, it ought to have been cut down without any reference to their salaries. If their salaries were high enough without this, it occurs to me that this per diem ought to have been reduced and the saving made of $88,000, as proposed in this item in the bill. It occurs to me that the per diem is allowed for a man traveling while away from home to pay the actual expenses, and it is not the intention of Congress that they should allow a large amount for a per diem in order to increase their salaries. The committee, it seems to me, should have arrived at some conclusion whether $4 a day was a reasonable amount or, as they have recommended, $3 a day was a reasonable amount. A few days ago, in considering the legislative appropriation bill, when we came to an item of $4 a day and I raised some objection in this House to it, I was answered by that committee that we ought not to reduce that, for the reason that these men had to travel in places where the expenses were high, and for that reason it ought to be allowed. In this case it is claimed that the men in the cities get no per diem, but only those who are traveling through the country, where the per diem possibly does not amount to more than two-thirds or one-half of that amount. There ought to be some reasonable way of settling this matter once and for all, and I shall insist, if my colleague who made the point of order does not, unless some satisfactory explanation is made of this provision of the bill that it is a real saving to the Government.

The CHAIRMAN. Does the gentleman from Arkansas [Mr. MACON] insist on his point of order?

Mr. MACON. Mr. Chairman, we have had a good deal of talk about economy in this new arrangement, but I am unable to discover it. The paragraph that I have made a point of order against, where the salaries are increased, is larger this year than it was last year by $131,700. I also notice that the next paragraph, which is the per diem paragraph, is only $37,600 less than it was last year. Now, if you can tell me how we can make a saving by deducting $37,600 from one item and adding $131,700 to another, then I will not make the point of order; but until that can be done I must say that in the interest of economy the point ought to be insisted upon.

Mr. WEEKS. The gentleman from Arkansas is mistaken in the figures which he has read. The appropriation for this year includes——

Mr. MACON. I am talking about the figures as I find them in the law of last year and in the bill of this year.

Mr. WEEKS. If the gentleman will give me his attention, the appropriation for salaries for this year include 6 men transferred from the Division of Classification, 6 men from the Registry Division, 20 men from the Railway Mail Service, who are inspectors, and 13 men from the Salaries and Allowances Division, making a total of 45 additional salaries. The salaries of 26 of them were $2,100 and the balance of them were $1,800.

Now, the actual combined appropriation for salaries for all grades of inspectors for the current year is $658,950, which includes those carried in the legislative bill and in the different parts of the Post Office bill. The recommended salaries for the same men this year is $704,450, making an increase of $45,500. That is the total increase in salaries to all inspectors. Now, the per diem saving for all of these men in the field service is $96,616, making a net saving of $51,116. If this bill passes, as the committee has recommended it, we will save $51,116 annually, we will equalize salaries, and we will be doing what the department has really been asking for years, namely, to raise salaries sufficiently in order to get good men in the service. And at the same time we have reduced the per diem to what the actual facts show the men really spend—$3 a day on an average.

Mr. MACON. Where do the savings appear in the bill? Most all of the paragraphs that I have seen carry increases over the appropriations of last year.

Mr. WEEKS. If the gentleman will look for the appropriation for per diem in the next item he will see a saving there.

Mr. MACON. See a saving where?

Mr. WEEKS. In the next item.

Mr. MACON. I have seen that.

Mr. WEEKS. We are providing a per diem for 45 more men than we were last year.

Mr. MACON. Where do they come from?

Mr. WEEKS. They come from the Second Assistant Postmaster General's office, the First Assistant Postmaster General's office, and the legislative bill. I think the gentleman was present the other day when I made a motion to strike out of the legislative bill the salaries paid to the inspectors in the Classification Division, and the salaries paid in the Division of Registry, and also the per diem paid to those men. We are carrying all the salaries in this bill.

Mr. MACON. They are provided for in this provision, but where do you omit them in the other parts of the bill?

Mr. WEEKS. They are omitted in this bill and in the legislative bill.

Mr. MACON. Where in this bill do you take them from?

Mr. STAFFORD. They have been dropped from another part of the bill and merged in one item.

The CHAIRMAN. The time of the gentleman from Arkansas [Mr. MACON] has expired.

Mr. MACON. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Of course, last year the compensation for the 13 assistant superintendents connected with the Salary and Allowance Division followed the item that is found in this bill for "the purchase, repair, and maintenance of mechanical and labor-saving devices." That has been omitted.

Mr. MACON. We are talking about salaries. We are talking about where you have saved anything on salaries.

Mr. MANN. We ought to get somebody who is familiar with the bill.

Mr. FINLEY. Will the gentleman from Arkansas give me his attention? I think I can explain the situation. These 45 men included in this item have heretofore been carried in other parts of the Post Office appropriation bill. Now they have been eliminated. They were in items under the first assistant and second assistant and in the legislative bill; so that they are no longer carried there, but all are included in this one item; and when you take the expeditures heretofore made for them and give them the per diem carried elsewhere, and when you take into consideration the reduction of the per diem from $4 to $3, that makes a total saving to the Government of $51,000 a year.

Mr. MACON. Provided you do not have some one to take their place in the places you take them from. That is why I have been asking some one to show me if the salaries were not under another head.

Mr. FINLEY. I will say to the gentleman that all inspectors have been included in the chief inspector's division in this bill. They have been eliminated from other parts in the bill where they have been carried before.

Mr. STAFFORD. The gentleman from Illinois asked me in what part of the bill they were carried last year. If I can have his attention, on page 16, line 19, the item for compensation of 13 assistant superintendents of the Salary and Allowance Division would have been included, but we dropped that. As to the 19 assistant superintendents connected with the Railway Mail Service, that is found on page 21. These are also dropped in the bill, and the per diem allowance has been correspondingly reduced.

Mr. MACON. But, Mr. Chairman, in regard to the page to which the gentleman refers, allowing for the purchase and repair of labor-saving devices, I observe that this bill appropriates $50,000, where there was only $25,000 appropriated for last year.

Mr. STAFFORD. I said that I would be pleased to give him the place in the bill where these items would have been carried had we included them separately. Now, we drop them and they are carried in the inspector's force, and are no longer contained in other parts of the bill.

Mr. MACON. The committee claims that it has transferred the inspectors that are provided for in this paragraph from some other part of the bill. Now, I am trying to find that part of this bill that shows a decrease from last year. I can not find it.

Mr. MANN. Will the gentleman from Arkansas permit me? They frequently refer to them as inspectors; and, of course, naturally being the same men, they suppose that we could find them. But the Post Office Department refers to them as assistant superintendents. If they had said they had eliminated assistant superintendents and provided inspectors, it could have been more easily understood.

Mr. MACON. The gentleman from Wisconsin spoke of them as assistant superintendents.

Mr. MANN. I inferred that he was not talking to me, so I did not listen.

Mr. STAFFORD. I directed my remarks to the attention of the gentleman from Illinois; I asked him for his attention, and I thought he was absorbing everything at that time.

Mr. MANN. I did not understand that the gentleman was addressing himself to me.

Mr. LLOYD. Mr. Chairman, if you will notice, the paragraph which has just been read provides for salaries of inspectors. There is no question at all but what there is an increase in the pay in this bill to inspectors. Now, the next paragraph reduces the pay of inspectors in the field in their per diem allowance. They are separate paragraphs. The paragraph in reference to salaries increases the salaries, but the paragraph in reference to per diem reduces the per diem, and the two together result in an economy.

Mr. MACON. When you put them together they do not reduce the total. I just stated a while ago that the paragraph to which the point of order was reserved carried this year $130,700 more than the bill carried a year ago.

In the next paragraph that you speak of there is only a saving of $37,600. When you put the two together, it occurs to me that there is an increase rather than a decrease.

Mr. LLOYD. If you will examine the report you will find that there were transferred to the post-office inspection bureau 13 assistant superintendents from the Salary and Allowance Division, and in doing so it carried over $26,000.

Mr. MACON. How does that leave this paragraph?

Mr. LLOYD. That does not appear at any other place in the bill.

Mr. FOSTER of Illinois. You raise the salaries of these men in the Railway Mail Service.

Mr LLOYD. I am trying to explain to the gentleman from Arkansas that there is an increase in salaries in that section, but that in the very next paragraph there is a reduction in per diem.

Now, if the gentleman wants to make the point of order on that first paragraph, the one that has recently been read, on the ground that it increases salaries, there can be no question of the correctness of his position. If he did that, it would reduce the provisions of this bill a considerable sum; but in the next section, being in favor of the reduction there, he would not make the point of order, because there is a saving to the Government of $1 a day in the per diem.

Mr. FOSTER of Illinois. Do you think the $4 per diem is a reasonable rate?

Mr. LLOYD. I am trying to explain the difference between the two paragraphs.

Mr. FOSTER of Illinois. The position I am taking is that $4 a day is too high, and that it ought to be reduced regardless of salaries.

Mr. LLOYD. If you make a point of order against both those paragraphs——

Mr. FOSTER of Illinois. I will not make any point of order against the one that reduces the per diem to $3.

Mr. LLOYD. That is what I am trying to impress upon the gentleman from Arkansas [Mr. MACON]——

Mr. FOSTER of Illinois. I do not think the gentleman from Arkansas will make a point of order against that.

Mr. LLOYD. If he makes his point of order against the first paragraph, there will be a saving to the Government. If he makes his point of order to the second paragraph, there will be a loss to the Government.

Mr. FOSTER of Illinois. I do not think he intends to do that.

Mr. COX of Indiana. The next paragraph is not subject to a point of order.

Mr. MANN. The reduction is not subject to a point of order.

Mr. FINLEY. If the gentleman from Arkansas will give me his attention for a moment, if he will turn to the appropriation bill which we passed last year, under the head of First Assistant Postmaster General, on page 10, he will see the words:

For per diem allowance of assistant superintendents while actually traveling on official business away from their home—

And so forth, $33,600. Now, if the gentleman will turn to this appropriation bill, under the head of Second Assistant Postmaster General, he will see that that item is omitted. It is included here in paragraph 2, the paragraph to which the point of order has been made or reserved; so this $33,600 for assistant superintendents was appropriated for in the last appropriation bill under the head of Second Assistant Postmaster General. Now there is no provision of this character under the head of Second Assistant Postmaster General in the bill under consideration. It has been eliminated from that head, but placed here under the chief inspector's division.

Mr. CULLOP. I should like to ask the gentleman from South Carolina a question while he is on the floor.

The CHAIRMAN. Does the gentleman from South Carolina desire recognition?

Mr. FINLEY. Yes; for the purpose of answering the gentleman.

Mr. CULLOP. Why is it that the committee in this bill allows an expense of $3 per diem? Why is it that it does not require these employees to charge up and report the actual expenses incurred, to file a statement, and pay them the actual expenses?

Mr. FINLEY. That question has been up in the Post Office Committee and in the House for years, and heretofore Congress has acted on the assumption that they would give the privilege to the department of allowing not to exceed $4 per day. The department does not have to allow that, but, in practice, I believe it does. Now, in this bill this has been reduced to $3, or not exceeding $3, per diem, and I believe that the investigation that was had shows that this is about the correct sum or about the average expense incurred by inspectors when away from home.

Mr. CULLOP. But why does not the committee adopt a business method, and do it as a business man would do it, and pay only the expenses that the men incur, and not give them an opportunity for a graft of $1.50 or $2 a day, as the case may be? That is what it amounts to. This method practiced is unfair to the public. Some of these men who only incur an expense of $1 a day are allowed $3, and heretofore they have been allowed $4. If they only expend $1 a day in expenses, that is all they ought to receive. If they expend $2 for expenses, that is all they ought to receive. So that this is practically a graft or an easy money-getting scheme, and nothing more or less than that.

Mr. FINLEY. In answer to the gentleman, I will say that up to this time, up to the time this bill was reported, the majority of the Post Office Committee and a majority of the Members of this House have by their votes done the very thing the gentleman is complaining of. So I will say to him that the committee has never been unanimous on this proposition and neither has the House been unanimous. A majority heretofore is responsible for the things that the gentleman complains of.

Mr. CULLOP. That was in the bill last year, and it went to the country that way, did it not?

Mr. FINLEY. Yes.

Mr. CULLOP. And the people by an overwhelming majority repudiated it at the ballot box last November and turned the party responsible for it out of power.

Mr. FINLEY. Yes; and a good many other things in addition to that.

Mr. CULLOP. That was one of the things. It was an issue and the people of this country declared they wanted no more of it, and very properly so.

Mr. FINLEY. Mr. Chairman, the item we were discussing goes to the 13 assistant superintendents. Last year they were provided for under the heading "Second Assistant Postmaster General." This year they are provided for under the heading "Chief Inspector's Division." So they are eliminated everywhere else in the bill. The same is true of the 45 men who have been transferred to other branches of the postal service in the Chief Inspector's Division. On the whole, what has been reported by the committee amounts to a saving of $51,000 annually. There can be no question about the figures.

The CHAIRMAN. Does the gentleman from Arkansas insist upon his point of order?

Mr. MACON. If the gentlemen of the committee say upon their oaths that the Government is saving $51,000 by this transaction, I am not going to make any point of order against it, because I am for saving money for the Government.

The CHAIRMAN. The gentleman from Arkansas withdraws his point of order, and the Clerk will read.

The Clerk read as follows:

For per diem allowance of inspectors in the field while actually traveling on official business away from their home, their official domicile, and their headquarters, at a rate to be fixed by the Postmaster General, not to exceed $3 per day, $287,400: *Provided*, That the Postmaster General may, in his discretion, allow inspectors per diem while temporarily located at any place on business away from their home, or their designated domicile, for a period not exceeding 20 consecutive days at any one place, and make rules and regulations governing the foregoing provisions relating to per diem: *And provided further*, That no per diem shall be paid to inspectors receiving annual salaries of $2,000 or more, except the 26 inspectors receiving $2,100 each.

Mr. MACON. Mr. Chairman, I reserve a point of order to the paragraph just read.

Mr. WEEKS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

So the committee determined to rise; and the Speaker having resumed the chair, Mr. STEVENS of Minnesota, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 31539, the Post Office appropriation bill, and had come to no resolution thereon.

THE LATE REPRESENTATIVE TIRRELL.

Mr. MITCHELL. Mr. Speaker, I desire to offer the following order (No. 18).

The Clerk read as follows:

Ordered, That Sunday, the 12th of February, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of the Hon. CHARLES QUINCY TIRRELL, late a Representative from the State of Massachusetts.

The order was agreed to.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 18540. An act for the relief of John H. Willis; and

H. R. 25057. An act for the relief of Willard Call and John M. Wyatt.

WITHDRAWAL OF PAPERS.

Mr. COVINGTON, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Sarah A. Mowbray, Sixty-first Congress, no adverse report having been made thereon.

BATTLESHIP NO. 34.

Mr. FOSS. Mr. Speaker, I submit a privileged report (No. 1943) from the Committee on Naval Affairs and ask for its adoption.

The Clerk read as follows:

House resolution 918.

Resolved, That the Secretary of the Navy be directed to transmit to the House of Representatives the detailed estimates of the cost of constructing the battleship No. 34, to be built at a navy yard, as such estimates were prepared at the navy yard at New York and transmitted to the Navy Department.

The Clerk read the following amendment recommended by the committee:

Line 2, after the word "Representatives" insert the words "copies of."

The amendment was agreed to.

The resolution as amended was agreed to.

ADJOURNMENT.

Mr. WEEKS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriation for completing the immigrant station at Philadelphia, Pa. (H. Doc. No. 1301), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HILL, from the Committee on Expenditures in the Treasury Department, to which was referred the bill of the House (H. R. 27837) to amend the provisions of the act of March 3, 1885, limiting the compensation of storekeepers, gaugers, and storekeeper-gaugers in certain cases to $2 a day, and for other purposes, reported the same without amendment, accompanied by a report (No. 1940), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 30891) to amend the provisions of section 12, act of February 8, 1875, as amended by section 2, act of March 1, 1879; and section 3149 of the Revised Statutes, as amended by section 2, act of March 1, 1879, as to the appointment and bonding of deputy collectors of internal revenue, reported the same with amendment, accompanied by a report (No. 1941), which said bill and report were referred to the House Calendar.

Mr. MOON of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 26656) to prevent the disclosure of national-defense secrets, reported the same with amendment, accompanied by a report (No. 1942), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LANGHAM, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 31724) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, accompanied by a report (No. 1939), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 10311) to pay Frederick W. Cotton amount found due him by Court of Claims; Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 30335) to remove the disability of Floyd J. Farber; Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 31703) granting a pension to Monta E. Milligan; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 27078) granting a pension to Horace W. Durnall; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 31725) to amend section 1 of the act of August 4, 1892, by permitting the entry of land chiefly valuable for commercial sand and gravel under the placer-claims law; to the Committee on the Public Lands.

By Mr. LIVELY: A bill (H. R. 31726) to amend section 3233, chapter 3, of the Revised Statutes; to the Committee on Ways and Means.

By Mr. HULL of Iowa: A bill (H. R. 31727) to provide for the issuance of badges of honor to officers and enlisted men of the Civil War who were during their service confined as prisoners of war by the enemy; to the Committee on Military Affairs.

By Mr. CALDERHEAD: A bill (H. R. 31728) to authorize the Manhattan City & Interurban Railway Co. to construct and operate an electric railway line on the Fort Riley Military Reservation, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 31729) to authorize the Manhattan City & Interurban Railway Co. to construct and operate an electric railway line on the Fort Riley Military Reservation, and for other purposes; to the Committee on Military Affairs.

By Mr. DAVIS: A bill (H. R. 31730) to remedy in the line of the Army the inequalities in rank due to the limited application given section 1204 of the Revised Statutes of the United States; to the Committee on Military Affairs.

By Mr. McCREARY: Resolution (H. Res. 922) for the relief of Eleanora Thomas; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 31731) granting an increase of pension to Everett E. Garner; to the Committee on Pensions.

Also, a bill (H. R. 31732) granting an increase of pension to Irvin Valentine; to the Committee on Invalid Pensions.

By Mr. ANDREWS: A bill (H. R. 31733) granting a pension to Bertie L. Wade; to the Committee on Pensions.

By Mr. ANSBERRY: A bill (H. R. 31734) granting a pension to Cornelia E. Coombs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31735) for the relief of Thaddeus Harris; to the Committee on Military Affairs.

By Mr. AUSTIN: A bill (H. R. 31736) granting an increase of pension to Reuben Hurtt; to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 31737) granting an increase of pension to James A. Dumars; to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 31738) granting an increase of pension to Harriet W. Wilkinson; to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 31739) granting a pension to Cornelius J. Stewart; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 31740) to carry into effect the findings of the Court of Claims in the case of Arthur Taylor, surviving partner of Arthur & Louis Taylor; to the Committee on War Claims.

By Mr. BYRNS: A bill (H. R. 31741) granting an increase of pension to Albert H. Rather; to the Committee on Invalid Pensions.

By Mr. CALDER: A bill (H. R. 31742) granting a pension to Dennis B. Reardon; to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 31743) granting an increase of pension to Neal J. Perkins; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 31744) granting an increase of pension to George J. Stivers; to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 31745) granting an increase of pension to Edward Dunahoo; to the Committee on Invalid Pensions.

By Mr. CLARK of Missouri: A bill (H. R. 31746) granting a pension to Jerry Fitzpatrick; to the Committee on Pensions.

By Mr. COLE: A bill (H. R. 31747) granting an increase of pension to William Locust; to the Committee on Invalid Pensions.

By Mr. COWLES: A bill (H. R. 31748) granting an increase of pension to Charles S. Houck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31749) granting an increase of pension to John F. Goodson; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 31750) granting a pension to Martha F. Parker; to the Committee on Invalid Pensions.

By Mr. DAVIS: A bill (H. R. 31751) granting an increase of pension to James Skelley; to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 31752) granting an increase of pension to Robert Cannon; to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 31753) granting a pension to Zoa M. Ladoo; to the Committee on Invalid Pensions.

By Mr. GRONNA: A bill (H. R. 31754) granting an increase of pension to Rufus Robbins; to the Committee on Invalid Pensions.

By Mr. HUGHES of Georgia: A bill (H. R. 31755) granting an increase of pension to Ovid P. Webster; to the Committee on Invalid Pensions.

By Mr. HEALD: A bill (H. R. 31756) naturalizing David Whitaker; to the Committee on Immigration and Naturalization.

By Mr. HELM: A bill (H. R. 31757) to carry into effect the findings of the Court of Claims in the case of Eliza Leathers, administratrix; to the Committee on War Claims.

Also, a bill (H. R. 31758) to carry into effect the findings of the Court of Claims in the case of William O. Robards; to the Committee on War Claims.

By Mr. HANNA: A bill (H. R. 31759) granting an increase of pension to Hans Johnson; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 31760) granting an increase of pension to Henry J. Boles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31761) granting an increase of pension to W. H. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31762) to carry into effect the findings of the Court of Claims in the matter of the claim of Henry Pepper and Elizabeth H. Cleveland, heirs of William Pepper, deceased; to the Committee on War Claims.

By Mr. JAMIESON: A bill (H. R. 31763) granting a pension to Evan F. Cowger; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 31764) granting an increase of pension to C. W. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31765) granting an increase of pension to Charles Wiggerton; to the Committee on Invalid Pensions.

By Mr. KINKEAD of New Jersey: A bill (H. R. 31766) granting an increase of pension to William Hulsizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31767) granting an increase of pension to Ruben L. Talmadge; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31768) granting an increase of pension to John Nix; to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 31769) granting an increase of pension to Henry C. Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31770) granting an increase of pension to John Loughmiller; to the Committee on Invalid Pensions.

By Mr. LENROOT: A bill (H. R. 31771) granting an increase of pension to Nels Nelson; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 31772) granting a pension to Charles W. Friend; to the Committee on Pensions.

By Mr. MARTIN of Colorado: A bill (H. R. 31773) granting an increase of pension to Charles McBee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31774) to carry into effect the findings of the military board of officers in the case of George Ivers, administrator; to the Committee on War Claims.

By Mr. MASSEY: A bill (H. R. 31775) granting a pension to Joseph Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31776) granting a pension to Ada Hurst; to the Committee on Pensions.

Also, a bill (H. R. 31777) for the relief of Thomas B. Salts; to the Committee on War Claims.

By Mr. MILLER of Kansas: A bill (H. R. 31778) granting an increase of pension to Thomas E. Dittemore; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 31779) for the relief of Sarah J. Staudefer; to the Committee on War Claims.

Also, a bill (H. R. 31780) for the relief of A. Shelton, administrator of the estate of Elizabeth W. Carper; to the Committee on War Claims.

By Mr. MORGAN of Oklahoma: A bill (H. R. 31781) granting an increase of pension to William A. Ballew; to the Committee on Invalid Pensions.

By Mr. OLDFIELD: A bill (H. R. 31782) granting a pension to Eliza Adair; to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: A bill (H. R. 31783) granting an increase of pension to Charles Hartman; to the Committee on Invalid Pensions.

By Mr. PICKETT: A bill (H. R. 31784) granting an increase of pension to Jesse B. Wilcox; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 31785) granting a pension to Thomas J. Colfer; to the Committee on Pensions.

Also, a bill (H. R. 31786) granting an increase of pension to Samuel T. Caw; to the Committee on Invalid Pensions.

By Mr. SHARP: A bill (H. R. 31787) granting an increase of pension to Michael R. Godfrey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31788) granting an increase of pension to John McPhern; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31789) granting a pension to George Linehos; to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 31790) to pay Henry Fink for the loss of a horse killed by United States soldiers while at target practice; to the Committee on Claims.

Also, a bill (H. R. 31791) to pay the claim of Mrs. Charles H. Benson, of San Antonio, Tex., for damages done to her phaeton by a caisson of the Third Regiment United States Field Artillery; to the Committee on Claims.

By Mr. STURGISS: A bill (H. R. 31792) granting a pension to Henrietta Stuart; to the Committee on Pensions.

By Mr. TAWNEY: A bill (H. R. 31793) granting an increase of pension to Fred Schulenberg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31794) granting an increase of pension to Henry K. Lukins; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 31795) granting an increase of pension to David H. Daywalt; to the Committee on Invalid Pensions.

By Mr. THISTLEWOOD: A bill (H. R. 31796) granting a pension to Letitia C. Savage; to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 31797) granting an increase of pension to Gilbert Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 31798) granting an increase of pension to Joel Zumbrum; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 31799) for the relief of Daniel Lane; to the Committee on Military Affairs.

Also, a bill (H. R. 31800) for the relief of John T. Watson; to the Committee on Military Affairs.

Also, a bill (H. R. 31801) for the relief of John G. Riley; to the Committee on Military Affairs.

Also, a bill (H. R. 31802) for the relief of Henry J. Bolander; to the Committee on Military Affairs.

Also, a bill (H. R. 31803) for the relief of Thomas J. Shopshire; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Petition of citizens of Deshler and Glenburg, Ohio, against rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. BATES: Petition of citizens of Titusville, Meadville, Oil City, Erie, and Cambridge Springs, in the State of Pennsylvania, for H. R. 5176, for national registration of motor vehicles; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Edinboro, Conneautville, Cambridge Springs, and Erie, in the State of Pennsylvania, against the establishment of a local rural parcels-post service on the rural delivery routes; to the Committee on the Post Office and Post Roads.

Also, petition of the Civic Club of Allegheny College, of Meadville, Pa.; J. S. Van Cleve, president of the Erie Foundry Co.; and C. B. Hayes, of Erie, favoring H. R. 27068, for a children's Federal bureau in Department of Commerce and Labor; to the Committee on Expenditures in the Interior Department.

Also, petition of D. Benson, against the Tou Velle bill; to the Committee on the Post Office and Post Roads.

Also, petition of Charles Miller Division of Brotherhood of Locomotive Engineers, of Meadville, Pa., for modification of the tax on oleomargarine; to the Committee on Agriculture.

By Mr. BYRNS: Paper to accompany bill for relief of Albert H. Rother; to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of Southern California Homeopathic Medical Society, against the Owen health-department bill; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL: Paper to accompany bill for relief of Neal J. Perkins; to the Committee on Invalid Pensions.

By Mr. COX of Ohio: Petition of the American Federation of Labor, against the tax of 10 cents per pound and favoring 2 cents per pound on oleomargarine; to the Committee on Agriculture.

Also, petition of National Tariff Commission Association, for a permanent tariff commission; to the Committee on Ways and Means.

By Mr. CRAIG: Petition of Alabama Live Stock Association, asking that the Bureau of Animal Industry be retained as a bureau of the Department of Agriculture; to the Committee on Agriculture.

By Mr. CRAVENS: Petition of citizens of the fourth Arkansas congressional district, favoring the local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. DAVIS: Petition of Monday Club, of Le Sueur, Minn., for removal of tax on colored oleomargarine; to the Committee on Agriculture.

Also, petition of Minnesota Road Makers' Association, favoring road making; to the Committee on Agriculture.

Also, petition of citizens of Henderson and Montgomery, Minn., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DIEKEMA: Petition of Ideal Clothing Co., against a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of W. F. Kendrick and others, favoring the Miller-Curtis bill (H. R. 23641 and S. 7528); to the Committee on Interstate and Foreign Commerce.

By Mr. DODDS: Petition of citizens of Evart, Mich., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Memorial of Religious Society of Friends of Pennsylvania, New Jersey, and Delaware, deploring the proposal to fortify the Panama Canal; to the Committee on Railways and Canals.

Also, petition of National Tariff Commission Association, for immediate creation of a permanent tariff commission; to the Committee on Ways and Means.

By Mr. ELLIS: Petition of Astoria (Oreg.) Central Labor Council and Columbia River Fishermen's Protective Association, favoring retirement of officers and members of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Asiatic Central Labor Council, of Astoria, Oreg., favoring further restriction of immigration from Asiatic countries; to the Committee on Immigration and Naturalization.

By Mr. ESCH: Petition of National Tariff Commission Association, for a permanent tariff commission; to the Committee on Ways and Means.

Also, petition of the La Crosse Woman's Club, for repeal of the 10 cents per pound tax on oleomargarine; to the Committee on Agriculture.

By Mr. DICKINSON: Paper to accompany bill for relief of Enos R. Woods; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Gen. Frank S. Dickson, adjutant general of Illinois, for the militia pay bill (H. R. 28436); to the Committee on Militia.

Also, petition of Thomas F. Burnes, of Belvidere, Ill., against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Parsons Lumber Co., E. H. Rollins & Sons, and Adolph Kurz, of Chicago, Ill., favoring San Francisco as site of Panama Exposition; to the Committee on Industrial Arts and Expositions.

Also, petition of the First Congregational Church of Peru, Ill., for the Miller-Curtis interstate liquor bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Edw. Johnson, M. A. L. Olson, Melville Clark, Judson Brenner, E. P. Ellwood, and Ernest Clark, of De Kalb, Ill., against the Mann health bill (H. R. 30292); to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMOND: Petition of Robert Hose, of Sleepy Eye, and Peter Waterman and four other business men of Monterey, Minn., against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of National Tariff Commission Association, for a permanent tariff commission; to the Committee on Ways and Means.

Also, petition of John Grath and 36 others, of Triumph, Minn., against removal of tariff on barley; to the Committee on Ways and Means.

By Mr. HANNA: Petition of citizens of North Dakota, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HENRY of Texas: Petition of citizens of Bartlett, Tex., against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. HOLLINGSWORTH: Petition of J. W. Smith, of Jefferson County, Ohio, favoring a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. HOUSTON: Paper to accompany bill for relief of John D. Womble and James Pritchitt; to the Committee on Invalid Pensions.

Also, petition of C. H. Byrn, of Murfreesboro, Tenn., against a rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. HOWELL of Utah: Petition of Wasatch Literary Club, Salt Lake City, against the sale of oleomargarine as butter; to the Committee on Agriculture.

Also, petition of citizens of Utah, against local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Illinois: Petition of Merchants of Gillespie, Ill., against enactment of a parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of merchants of Nokomis, Assumption, and Girard, Ill., against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of the Staunton Trades Council, against admittance of pauper labor into the United States; to the Committee on Immigration and Naturalization.

By Mr. KENDALL: Petition of citizens of Deep River, Iowa, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. KOPP: Petition of citizens of the third Wisconsin congressional district, against parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of Paul H. Haept and 36 other citizens of Michigan, urging pensions for members of the Life-Saving Service (S. 5677); to the Committee on Interstate and Foreign Commerce.

Also, petition of Cheboygan (Mich.) ministers, for enactment of the Miller-Curtis interstate liquor bill; to the Committee on Interstate and Foreign Commerce.

By Mr. LOWDEN: Petition of Methodist Episcopal Church of Paw Paw, Freeport Trinity Church, and First Presbyterian Church of Freeport, Ill., for the Miller-Curtis bill (H. R. 23641); to the Committee on Interstate and Foreign Commerce.

By Mr. McCALL: Petition of Massachusetts State Board of Trade, favoring permanent tariff board; to the Committee on Ways and Means.

By Mr. McCREDIE: Petition of Arctic Club, favoring improved postal facilities for Alaska; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Washington, against the establishment of a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. McHENRY: Petition of Pomona Grange, No. 5, of Pennsylvania, for Senate bill 5842 and House bill 20582, relative to oleomargarine; to the Committee on Agriculture.

By Mr. McMORRAN: Petition of A. E. Conlan and Brathwell Bros., of Blaine, Mich., against a local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of John Andrews, of Bad Axe, and 24 others, and of N. C. Karr, of Lapeer, and 25 others, of Michigan, and Andrew Wood and 19 others, of Marine City, Mich., for the Miller-Curtis bill; to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Sarah J. Standefer and the estate of Elizabeth W. Carper; to the Committee on War Claims.

By Mr. MAGUIRE of Nebraska: Petition of citizens of Havelock, Nebr., against rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. MANN: Petition of citizens of Chicago, protesting against unnaturalized foreigners remaining in the United States; to the Committee on Immigration and Naturalization.

By Mr. MOORE of Pennsylvania: Petition of Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, against proposed fortification of the Panama Canal; to the Committee on Railways and Canals.

Also, petition of Greenbaum Bros., of Philadelphia, Pa., for San Francisco as site of the Panama Exposition; to the Committee on Industrial Arts and Expositions.

By Mr. OLDFIELD: Petition of citizens of the second Arkansas congressional district, against a rural parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. PICKETT: Petition of citizens of Wright County, Iowa, for House bill 29346; to the Committee on Invalid Pensions.

Also, petition of citizens of Buchanan County, Iowa, favoring amendment of pension laws; to the Committee on Invalid Pensions.

By Mr. SABATH: Petition of citizens of the fifth Illinois congressional district, against local rural parcels-post service; to the Committee on the Post Office and Post Roads.

Also, petition of Religious Society of Friends for Pennsylvania, New Jersey, and Delaware, against fortifying the Panama Canal; to the Committee on Railways and Canals.

Also, petition of American Institute of Homeopathy, against the Mann, Owen, and Creager health-department bills; to the Committee on Interstate and Foreign Commerce.

By Mr. SLAYDEN: Papers to accompany bills for relief of Mrs. Charles H. Benson and Henry Fink; to the Committee on Claims.

By Mr. SHEFFIELD: Petition of Town Council of Johnstown, R. I., for Senate bill 5677; to the Committee on Interstate and Foreign Commerce.

By Mr. STURGISS: Paper to accompany bill for relief of Henrietta Stuart; to the Committee on Pensions.

By Mr. SULZER: Petition of 31 members of the Allenville (Wis.) Grange, No. 562, favoring the enactment of the Sulzer bill (H. R. 26581) to reduce postal rates, to improve the postal service, and to increase postal revenues; to the Committee on the Post Office and Post Roads.

Also, petition of Chamber of Commerce of the State of New York, favoring Lowden bill (H. R. 30888) providing buildings for foreign embassy, legation, and consular service; to the Committee on Foreign Affairs.

By Mr. THISTLEWOOD: Petition of citizens of the twenty-fifth congressional district of Illinois, against a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. TOU VELLE: Petition of merchants of Celina, Ohio, against parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of Drake County Farmers' Institute, favoring parcels-post law; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Greenville, Ohio, against railroading through House bill 30292 without proper hearing; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 20, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

SENATOR FROM CALIFORNIA.

Mr. FLINT presented the credentials of JOHN DOWNEY WORKS, chosen by the Legislature of the State of California a Senator from that State for the term beginning March 4, 1911, which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a telegram, in the nature of a petition, from the State Bar Association of New York, praying for the enactment of legislation providing for an increase in the salaries of the judges of the Federal courts, which was referred to the Committee on the Judiciary.

He also presented a petition of Typographical Union No. 90, of Richmond, Va., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the congregation of Plymouth Church, of Worcester, Mass., praying for the enactment of legislation to prohibit the sale of opium and cocaine in the United States, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Minnesota National Guard Association, praying for the enactment of legislation providing for Federal pay for the Organized Militia of the country and also for the encouragement of rifle practice, etc., which was referred to the Committee on Military Affairs.

He also presented the petition of R. J. Mitchell, of Red Bluff, Cal., praying for the enactment of legislation to regulate the traffic in opium and cocaine in the United States, which was referred to the Committee on Foreign Relations.

Mr. CULLOM presented a memorial of sundry citizens of Decatur, Ill., remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Subdivision No. 32, International Brotherhood of Locomotive Engineers, of Aurora, Ill., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Progress Lodge, No. 58, Switchmen's Union of North America, of Chicago, Ill., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented the memorial of Samuel C. Eastman, of Concord, N. H., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

Mr. BURNHAM presented the memorial of C. H. Thorpe, of the White Mountain Republic Journal, of Littleton, N. H., and the memorial of Samuel C. Eastman, of Concord, N. H., re-